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MINUTES
CITY OF HAMILTON
CITY COUNCIL
JAN. 18, 2000 ...

URBAN
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MINUTES

CITY OF HAMILTON
CITY COUNCILTuesday, January 18, 2000
8:55 p.m.Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

FEB 15 2000

GOVERNMENT DOCUMENTS

JAN. 18/00

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman D. Haining – City Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Transport and Environment Committee be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 01-00

Section 1 Re: Ontario Municipal Board Hearing – 75 Centennial Parkway North (Eastgate Square)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan - 13.

NAYS: Aldermen Copps, Collins, Eisenberger. –3 **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -16.

NAYS: -0. **CARRIED.**

Hamilton City Council then adjourned at 9:00 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
January 18, 2000**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Thursday, January 6, 2000

10:00 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman D. Wilson (Vice-Chairperson)
Aldermen T. Anderson, A. Horwath, T. Jackson, M. Kiss,
B. Morelli

Also Present: Alderman G. Copps

Regrets: Alderman C. Collins – City Business
Alderman F. D'Amico – City Business
Mayor R. M. Morrow – City Business

Alderman D. Wilson, Vice Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Ontario Municipal Board Hearing – 75 Centennial Parkway North
(Eastgate Square) (Item 2.1)**
 - (a) That the proposed alteration of Delawana Drive, from approximately 70 metres west of Centennial Parkway to approximately 30 metres west of Fairington Crescent, be approved; and,
 - (b) That the proposed alteration of Centennial Parkway, from approximately 50 metres south of Delawana Drive to approximately 40 metres north of Vineyard Road, be approved; and,

- (c) That the Road Alteration By-law to alter Delawana Drive and Centennial Parkway be passed and enacted; and,
- (d) That the removal of the 12 existing street trees and their replacement with 24 large calliper trees, required to permit the relocation of the driveway accesses to Centennial Parkway and Delawana Drive, be approved;
- (e) That prior to the beginning of roadway construction, the Cadillac Fairview Corporation Ltd. Be required to pay to the City of Hamilton \$11,449, which is the estimated cost for removal and replacement of the street trees;
- (f) That the owner be required to install and maintain a truck barrier over the mall entrance near the former Eaton's store to stop delivery trucks from utilizing this access;
- (g) That Cadillac Fairview Corporation Ltd. and the Community Planning and Development Division be advised of these actions.

Noted for the information of the Committee respecting Item 1:

The Committee moved In Camera to receive legal advice. Subsequently, the Committee reconvened in Open Session and approved the aforementioned recommendation.

Council Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan - 13.

NAYS: Aldermen Copps, Collins, Eisenberger. -3

CARRIED.

2. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-01 A By-law to alter Centennial Parkway North, between Delawana Drive and Vineyard Road, and to alter Delawana Drive from west of Fairington Crescent to the east of Centennial Parkway North

- (b) A-02 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

Note:	The meeting of the Transport and Environment Committee adjourned at 10:15 a.m.
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Respectfully submitted,

**Alderman D. Wilson, Vice-Chairperson
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
January 6, 2000

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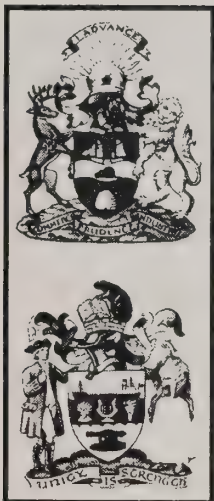
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MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, January 25, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman D. Wilson – Family Illness

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Father Metias, Saint Mina Coptic Orthodox Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Alberta Adams in honour of the Imperial Order of the Daughters (IODE) "Women Working Together for Canada" in recognition of their 100th Anniversary.

A Certificate of Recognition was presented to Elisabeth and Suzanne Wall for their efforts in rescuing eight children from a burning house in Hamilton.

Mayor R. M. Morrow recognized John Johnston, Commissioner of Human Resources for his years of service to the City and Region. Mr. Johnston is retiring after 31 years of service.

Mayor R. M. Morrow recognized Deputy Fire Chief James Cardwell for his years of service to the Hamilton Fire Department who is retiring after 30 years of service.

ADOPTION OF MINUTES

The Minutes of the meetings held December 14, December 17, December 21, 1999 and January 18, 2000 were adopted as circulated.

CORRESPONDENCE

1. Application dated January 12, 2000 from the City of Hamilton for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 1389 Upper James Street, Hamilton, Ontario.

Received.

2. Application dated January 11, 2000 from Angie Nesci, 683595 Ontario Inc., for a change in zoning from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified to "R-4" (Small Lot Single Family Detached) District for Block "1" and from "L-c" (Planned Development- Commercial) District, modified to "R-4" (Small Lot Single Family Detached) District for Block "2" and from "L-c" (Planned Development Commercial) District, modified to "C" (Urban Protected Residential, etc.) District for Block "3" and from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for Block "4" and from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "C" (Urban Protected Residential, etc.) District for 1512 Upper Gage Avenue

Received.

3. Letter dated January 18, 2000 from E. R. Harman, President, Durand Neighbourhood Association Inc., respecting St. Mark's Church Site.

Received.

4. Letter dated January 25, 2000 from Dr. Diane Dent, Chairperson, L.A.C.A.C. re: St. Mark's Church.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Report of His Worship Mayor R. M. Morrow, and the Nominating Committee, be now considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 02-00

PARKS AND RECREATION COMMITTEE – REPORT 01-00

Section 2 Re: Aviary – Joint Feasibility Study with the Royal Botanical Gardens (RBG).

It was moved by Alderman Morelli and seconded by Alderman Jackson that Section 2 of the Report 01-00 of the Parks and Recreation Committee be amended to delete the first sentence in the Note Section. **CARRIED.**

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Section 2 Re: Aviary – Joint Feasibility Study with the Royal Botanical Gardens (RBG).

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 2 of Report 01-00 of the Parks and Recreation Committee be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Copps, Collins. -7.

NAYS: Aldermen Corsini, Morelli, Eisenberger, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9.

LOST.

Recorded vote on main motion.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 01-00
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Section 1 Re: St. Mark's Church – New Use.**Recorded vote.**

YEAS: Aldermen Kiss, Horwath, Corsini, Haining, Copps, Charters. -6.

NAYS: Mayor Morrow, Aldermen Caplan, Morelli, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9. **LOST.**

Section 2 Re: St. Mark's Church – New Use.

It was moved by Alderman Caplan and seconded by Alderman D'Amico that the following be added as Section 2 of Report 01-00 of the Planning and Development Committee:

2. St. Mark's Church – New Use.

- A. That the Planning and Development Committee direct the staff of the Community Planning and Development Division to proceed immediately with a City Initiative to rezone the lands at 130 Bay Street South from "E-3" (High Density Multiple Dwellings) District to "A" (Conservation Open Space, Park and Recreation, etc) District, modified, to reflect the proposed land use, as a condition of sale;
- B. That any sale of the property be subject to the finalization of the rezoning as identified in Recommendation "A" above;
- C. That staff in Real Estate and Legal Services be directed to enter into negotiations with the Charismatic Episcopal Church of Canada (Church of the Deliverer) for the purposes of entering into an agreement of purchase and sale for the cost of \$350,000.;
- D. That the sale of the St. Mark's property be subject to the following conditions:

- 1) that a Heritage Conservation Easement be signed in favour of the City of Hamilton on the church building and on the open space;
- 2) that the City be granted the right of first refusal;
- 3) that the owner of the St. Mark's property guarantee public access to the grounds of St. Mark's; and,
- 4) that a letter of intent be signed with the new owners agreeing to complete the renovations within two years from the date of purchase.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Morelli, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9.

NAYS: Aldermen Kiss, Horwath, Corsini, Haining, Copps, Charters. -6.
CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 02-00**FINANCE AND ADMINISTRATION COMMITTEE - REPORT 01-00****Rule No. 9 Re: Bill D-3: A By-law to Enact an Interim Tax Levy.**

It was moved by Alderman O'Sullivan and seconded by Alderman Corsini that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of Bill D-3 – A By-law to Enact an Interim Tax Levy.
CARRIED.

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Section 5 Re: A By-law to Enact an Interim Tax Levy.

It was moved by Alderman O'Sullivan and seconded by Alderman Kelly that the following Bill be added as sub-section (c) of Section 5 of Report 01-00 of the Finance and Administration Committee:

“(c) D-3 A By-law to Enact an Interim Tax Levy” **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 02-00

Section 1 Re: Receipt of Offers to Purchase – 11 Rebecca Street.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Copps. –1.

CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 01-00

HIS WORSHIP MAYOR R. M. MORROW – REPORT 01-00
(Millennium Committee)

NOMINATING COMMITTEE - REPORT 01-00

ACTING MAYOR FOR THE MONTH OF FEBRUARY 2000

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Jackson be appointed Acting Mayor for the month of February, 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Report of His Worship Mayor R. M. Morrow, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:10 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
January 25, 2000
JJS/dg**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT 02-00 TO CITY COUNCIL

Monday, January 17, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. Morrow, Aldermen T. Anderson, F. D'Amico, A. Horwath, T. Jackson, M. Kiss, B. Morelli

Also Present: Alderman M. Caplan, B. Charters

Alderman C. Collins, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. **Proposed Expansion of Canadian Pacific Railway Operations – Longwood Road South and Aberdeen Avenue, Hamilton (Item 3.1)**
 - a) That the Council of the City of Hamilton request the Provincial and Federal Ministries of the Environment to conduct full Environmental Assessments and also government enquiries under all Provincial and Federal Legislation with respect to the proposed expansion of the Canadian Pacific Railway (St. Lawrence Hudson Railway) operations in the area of Highway 403, Longwood Road South and Aberdeen Avenue in order to ensure safety from potential negative impacts of any kind to persons or properties or any adverse environmental impacts on any kind that this operation may have on communities and neighbourhoods in the City of Hamilton; and,
 - b) That the Council of the City of Hamilton request that the Province of Ontario and the Government of Canada advise of any and all policies, statutes, guidelines and regulations which would come to bear on the use of railway lands within municipalities; and,

- c) That the City of Hamilton indicate to the Government of Canada that the Province of Ontario and the operators and owners of Railways of their strong desire to work with the owners of these lands to find and agree to practices consistent with requirements that would normally apply in a municipality; and,
- d) That the Federation of Canadian Municipalities be requested to facilitate a process to find practices in which railway lands are dealt with in a manner consistent with the requirements that would normally apply in a municipality; and,
- e) That staff be requested to provide information to be presented to the next meeting of the Big City Mayors Conference in Montreal; and,
- f) That this recommendation be forwarded to the area M.P.'s and M.P.P.'s.

Noted for the information of the Committee respecting Item 1:

At the request of the Committee Chairman, the following residents addressed the Committee to express their opposition to proposed expansion:

Dale Brown, 39 Flatt Avenue
Peggy Kizilirmakli, 284 Homewood Avenue
Dianne Arrell, 150 Chedoke Avenue
George Sorger, 63 Chedoke Avenue
May Toth, 9 Richmond Street
Rob Monkelman, 555 Aberdeen Avenue
Nikola Patti, 271 Homewood Avenue
George Truman, 170 Chedoke Avenue.

The following is a summary of the comments and concerns made during the presentations:

- Despite not having gone through an environmental assessment. CP has gone ahead with its expansion plans at the Aberdeen yard, without first obtaining public input from the residents in the area most affected. Residents were disappointed with the process.
- Concerns of excessive noise and increased air pollution from transport trucks and idling trains, diesel fumes, safety of pedestrian and vehicular traffic, environmental concerns i.e., effects of pollution on plant/tree life.

- c) That the City of Hamilton indicate to the Government of Canada and the Province of Ontario and the operators and owners of Railways of their strong desire to work with the owners of these lands to find and agree to practices consistent with requirements that would normally apply in a municipality; and,
- d) That the Federation of Canadian Municipalities be requested to facilitate a process to find practices in which railway lands are dealt with in a manner consistent with the requirements that would normally apply in a municipality; and,
- e) That staff be requested to provide information to be presented to the next meeting of the Big City Mayors Conference in Montreal; and,
- f) That this recommendation be forwarded to the area M.P.'s and M.P.P.'s.

Noted for the information of the Committee respecting Item 1:

At the request of the Committee Chairman, the following residents addressed the Committee to express their opposition to proposed expansion:

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FEB 18 2000

GOVERNMENT DOCUMENTS

The following is a summary of the comments and concerns made during the presentations:

- Despite not having gone through an environmental assessment. CP has gone ahead with its expansion plans at the Aberdeen yard, without first obtaining public input from the residents in the area most affected. Residents were disappointed with the process.
- Concerns of excessive noise and increased air pollution from transport trucks and idling trains, diesel fumes, safety of pedestrian and vehicular traffic, environmental concerns i.e., effects of pollution on plant/tree life.

- Property devaluation to existing homeowners, as well as purchasers of the new homes located across from the golf course, who were not advised of the planned CP expansion prior to their purchase.
- Questioned if alternate sites were considered.

Aldermen M. Kiss and M. Caplan also spoke on behalf of the residents.

2. Belmont Avenue and Cannon Street East – School Crossing Guard (PWT00006) (Item 6)

That a School Crossing Guard be assigned to the intersection of Belmont Avenue and Cannon Street East.

3. Routine Amendments to the City Traffic By-law 89-72 – Transport and Environment Committee Meeting – January 17, 2000 (PWT00011) (Item 7.1)

That the requests for routine amendments as listed in Appendix "A" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

4. Contractual Parking Enforcement Services for 2000 (PWT00003) (Item 7.2)

That a purchase order be issued to Canadian Corps of Commissioners (Hamilton) for parking enforcement services for 2000, in accordance with the conditions of the attached vendor's quote as follows:

Master Warrant Officer	-	\$12.97/hr
Commissionaire	-	\$11.61/hr

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-03 A By-law to amend Traffic By-law 89-72 to Regulate Traffic.
- (b) A-04 A By-law to amend Traffic By-law 89-72 to Regulate Traffic.

- Property devaluation to existing homeowners, as well as purchasers of the new homes located across from the golf course, who were not advised of the planned CP expansion prior to their purchase.

- Questioned if alternate sites were considered.

Aldermen M. Kiss and M. Caplan also spoke on behalf of the residents.

2. Belmont Avenue and Cannon Street East – School Crossing Guard (PWT00006) (Item 6)

That a School Crossing Guard be assigned to the intersection of Belmont Avenue and Cannon Street East.

3. Routine Amendments to the City Traffic By-law 89-72 – Transport and Environment Committee Meeting – January 17, 2000 (PWT00011) (Item 7.1)

That the requests for routine amendments as listed in Appendix "A" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

4. Contractual Parking Enforcement Services for 2000 (PWT00003) (Item 7.2)

That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton) for parking enforcement services for 2000, in accordance with the conditions of the attached vendor's quote as follows:

Master Warrant Officer	-	\$12.97/hr
Commissionaire	-	\$11.61/hr

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-03 A By-law to amend Traffic By-law 89-72 to Regulate Traffic.
- (b) A-04 A By-law to amend Traffic By-law 89-72 to Regulate Traffic.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes (Items 2.1 and 2.2)

That the Minutes of the meeting of the Transport and Environment Committee held on December 6 and December 14, 1999, be adopted.

(c) Mrs. J. Galasso re: Parking on the north side of Barton Street West, between Magill Street and Greig Street (Items 3.2(a) and(b))

Mrs. J. Galasso expressed concerns with respect to vehicles being permitted to park on the north side of Barton Street, between Magill Street and Greig Street.

That this issue be tabled to the next meeting of the Committee in order for the Ward Aldermen to meet with Mrs. Galasso.

(d) Referral of Projects (Item 4.1)

That staff be instructed to bring a report back to the Committee detailing costs for streetscaping and burying utility services in the following areas:

- (i) Locke Street, from Main to Aberdeen;
- (ii) Concession Street, within the boundaries of the B.I.A.;
- (iii) Sherman Avenue, from Cannon Street to the railway tracks;
- (iv) Barton Street East, from Birch Street to Leinster Avenue;
- (v) Kenilworth Avenue, Main Street to Barton Street.

Noted for the information of the committee respecting Item (d):

It was suggested that staff meet with representatives of the various B.I.A.'s for their input in terms of timing restrictions for any improvements that might be anticipated.

- (e) **Churchill Avenue and Upper James Street – School Crossing Guard (PWT00007)** (Agenda Item 5)

That this item be tabled.

Noted for the information of the Committee respecting Item (e):

At the request of Alderman D'Amico, the Committee agreed to table this item.

- (f) **Information Items** (Item 7.3)

That the following items previously distributed under separate cover, be received:

- (i) Correspondence dated January 5, 2000 from Alderman M. Kiss to residents of Ward 1 respecting Canadian Pacific Expansion – Longwood/Aberdeen/403
- (ii) Correspondence dated January 9, 2000 from Mr. R. Johnson, on behalf of Train-Residents' Action Committee (TRAC), respecting proposed changes to railway operations in the Aberdeen Yards
- (iii) Interlocking Brick Sidewalks Adjacent to Copps Coliseum (PWT00012)

Noted for the information of the Committee respecting Item (f)(iii):

Staff was directed to bring a report back to the Committee with a plan which would implement some of the changes and improvements as outlined in the report.

Note: The meeting of the Transport and Environment Committee adjourned at 11:20 a.m.

Respectfully submitted,

**Alderman C. Collins, Chairman
Transport and Environment
Committee**

**Carolyn Biggs
Legislative Assistant
January 17, 2000**

Appendix "A" as referred to
in Section 3 of Report 02-00
of the Transport and
Environment Committee

Ward 1

- (a) Mr. Steve Dembe, on behalf of the Anshe Shalome Temple, has requested that a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Cline, west of King, directly in front of the Temple. Presently, there is a 26 foot "No Parking Anytime" regulation in the same vicinity on Cline to facilitate the pick-up and drop-off of passengers at the entrance to the Temple. Consequently, the requested time limit will extend approximately 40 feet to the east and 55 feet to the west of the "drop-off" zone.
- (b) Mr. P Hoey, No. 89 Oxford Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Oxford abutting his home since he is disabled.

Ward 2

- (a) Ms. Yvonne Fortman has requested the removal of the existing reserved "Permit Parking" regulation from the west side of the street at No. 485 Catharine Street North, as she no longer resides at that address.
- (b) Mr. J. Giornofelice, 232 Catharine Street North, has requested that the existing "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of Catharine, in front of his home, be removed. Staff has confirmed that The Joyce & Smith Co., for whom the regulation was implemented, is no longer doing business at 245 Catharine Street North, and therefore concurs with the request.
- (c) Mrs. Peirsma, 78 Walnut Street South, has requested that a reserved "Permit Parking" regulation be implemented on the west side of Walnut, directly in front of her home, since she is disabled.
- (d) Mr. John Ryan, 9 Hess Street North, has requested that a reserved "Permit Parking" regulation be implemented on the west side of Hess, directly in front of his home, since he is disabled.
- (e) Ms. Kelly Lawson, 48 Aberdeen Avenue, has requested the implementation of a full-time "No Parking" driveway clearance at the on the west side of Chilton, opposite the rear of her property, as vehicles parked in this area obstruct access to her driveway.

- (f) Mayor Robert Morrow has advised of a request from area businesses that the existing parking meters on the south side of Rebecca, east of James be changed from one hour to two hours in duration. Four of the seven businesses abutting the block are in favour of changing the duration. Staff was unable to contact the remaining three businesses for comments.

Ward 3

- (a) Alderman Bernie Morelli has forwarded a petition signed by representatives of 70 of the 90 homes abutting Gibson between Barton and Cannon requesting that the existing full-time "Two Hour Parking Time Limit" regulation be removed from both sides of the street in this block. All 70 of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking on both sides of the street.

Ward 4

- (a) Alderman Dave Wilson advises that the existing extended corner clearances on both sides of Graham, running south and north from Monterey, are no longer required due to the implementation of "all-way stop control" at the subject intersection.
- (b) Staff has received a petition signed by representatives of eight of the nine homes abutting Crosthwaite between Britannia and Cannon requesting that the existing "Permit Parking" regulation be removed from the east side of the street in this block. All eight of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking.
- (c) Pauline Blair, 83 Kenilworth Avenue North, has requested that northbound stop control be implemented at the "T" type intersection of Alice and Hope.
- (d) Brian Desjardins, 179 Fairfield Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Fairfield opposite his home since he is disabled. Andrew Jack, 184 Fairfield Avenue, has advised that he supports the implementation of the subject regulation directly in front of his home.
- (e) Mr. Taras Pylypiuk, 1338 Monterey Avenue, has requested the implementation of a "No Stopping - Wheelchair Loading" regulation on the south side of Monterey in front of his home to accommodate the provision of DARTS services for his mother who is disabled.

Ward 6

- (a) Tom Whitworth, 994 Upper Kenilworth Avenue, has requested that all-way stop control be implemented at the intersection of Milkyway/Trenholme and Upper Kenilworth. The subject intersection is adjacent to Trenholme Park. Therefore, staff concurs with the request.

Ward 7

- (a) Terry Power, 664 Upper Wentworth Street, has requested the removal of the "Wheelchair Loading Zone, 9:00 a.m. to 11:00 p.m., 7 Days a Week" on the north side of Vickers, adjacent to his home, since the resident for whom the regulation was implemented has moved, which staff has confirmed.
- (b) Staff has received a petition signed by representatives of the three homes abutting the south side of Lawnhurst, east of Lawnview, requesting that the existing 120 foot "No Stopping" corner clearance be removed to allow unrestricted parking in this area. The intersection of Lawnhurst and Lawnview is presently controlled by an all-way stop and therefore, the corner clearance is no longer required.

Ward 8

- (a) Katharine Muir, 138 Gledhill Crescent, has requested that northbound stop control be implemented at the "T" type intersection of Brigadoon and Gledhill. Also, staff is recommending that all-way stop control be implemented at the "T" type intersection of Brigadoon and Matthew, since it is an intersection of two neighbourhood collector roadways.
- (b) Elaine Simon, Principal of Corpus Christi School, has requested revisions to the location of the existing School Bus Loading Zone on Alderson to better position the four school buses picking up/dropping off students.
- (c) David James, 73 San Remo Drive, has requested that a full-time "Wheelchair Loading Zone" regulation be implemented on the east side of San Remo, directly in front of his home, since the residents require the use of DARTS vehicles.



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Tuesday, January 25, 2000

6:00 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman B. Morelli (Chairperson), Alderman M. Kiss (Vice-Chairperson), Mayor R. M. Morrow, Aldermen T. Anderson, G. Copps, R. Corsini, F. Eisenberger, T. Jackson, D. O'Sullivan

Also Present: Aldermen M. Caplan, B. Charters, C. Collins, A. Horwath, R. Fair, K. Dunccliffe, C. Guthro, G. Maikins, B. Chrystian, K. Nutley, B. Price, D. Ross, C. Beynon, C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Application for the Re-naming of East Portion of Gore Park to Dieppe Park (PWT99077a) (Item 3)**
 - (a) That the application submitted by Mr. F. Rocchi to re-name a portion of Gore Park, Dieppe Park, be denied; and,
 - (b) That in consultation with the Hamilton Veterans Committee and Mr. F. Rocchi, Parks Division Staff be authorized to explore site and development opportunities for establishing a suitable memorial specific to the losses suffered locally as a result of the assault on Dieppe and other conflicts of war.

Noted for the information of City Council respecting Item 1:

The Committee was in receipt of a letter dated November 16, 1999 from Mr. Michael Semkowicz, 118 Allenby Avenue, Hamilton, along with a petition signed by Veterans, requesting that the renaming of Gore Park to Dieppe Park be deferred. The Committee agreed to refer this letter and petition to the Hamilton Veterans Committee and appropriate Staff for their information.

2. Aviary - Joint Feasibility Study with the Royal Botanical Gardens (RBG) (PWT00010) (Item 4)

- (a) That the Acting Commissioner of Public Works and Traffic or designate be authorized to participate with the Royal Botanical Gardens (RBG) in the contracting of consulting services to determine overall building and operational requirements, integration with RBG existing and proposed facilities and cost projections relative to incorporating the City's avian collection at RBG Centre; and,
- (b) That the cost of the study be shared equally between the City and RBG to a total upset limit of \$20,000; and,
- (c) That the City's share be funded from existing Current Budget Account COHAM 51401 444030 Aviary Operations; and,
- (d) That the ground fowl collection continue to be housed at temporary quarters, under the care and responsibility of resident aviary volunteers; and,
- (e) That terms be negotiated for extension of the City's lease at the former Teaching Garden facility for aviary use pending potential implementation of new facilities at RBG Centre.

Noted for the information of City Council on Item 2:

The following amendments were made to the report and subsequently approved:

- (a) Subsection (c) was amended to change the Account Number from CH 51401 62110 to COHAM 51401 444030; and,

- (b) Subsection (e), the word "potential" was added following the word "pending".

There was also a recorded vote on the motion as amended:

Yeas: Aldermen R. Corsini, D. O'Sullivan, T. Jackson, B. Morelli,
F. Eisenberger, T. Anderson - 6

Nays: Aldermen G. Copps, M. Kiss - 2 Carried.

Council recorded vote - referral back.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Copps, Collins. -7.

NAYS: Aldermen Corsini, Morelli, Eisenberger, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9.

LOST.

Council recorded vote on Section 2 on the main motion

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

3. Award of Contract for Electrical Service and Electrical Installations for the Waterfront Trail (PWT00015) (Item 5.1)

- (a) That approval be given to issue a Purchase Order to Wayne Electric Co. Ltd., Carlisle, in the amount of \$320,000 including \$25,000 contingency, plus \$20,650 G.S.T., for electrical services and distribution installation for the Waterfront Trail, being the lowest of three (3) tenders received in accordance with specifications C11-6199 issued by the Purchasing Division and vendors tender; and,
- (b) That the amount of \$340,650 for the construction of the electrical service and distribution installation be funded from the 2000 Hamilton Harbour Waterfront Trail Account COHAM 400043001; and,
- (c) That the Director of Legal Services and Corporate Counsel be requested to prepare a contract, and the Mayor and Municipal Clerk

be authorized to execute the contract in a form satisfactory to Corporate Counsel.

4. Award of Contract for Construction of Steel Stairway, Lookout and Electrical for the Waterfront Trail (PWT00014) (Item 5.2)

- (a) That approval be given to issue a Purchase Order to G.S. Wark Ltd. in the amount of \$308,880 including \$30,000 contingency, plus \$19,521.60 G.S.T., for the construction of a steel stairway, lookout and electrical for the Waterfront Trail, being the lowest of six (6) tenders received in accordance with specifications C11-6399 issued by the Purchasing Division and vendors tender; and,
- (b) That the amount of \$328,401.60 for the construction of the steel stairway, lookout and electrical be funded from the 2000 Hamilton Harbour Waterfront Trail Account COHAM 400043001; and,
- (c) That the Director of Legal Services and Corporate Counsel be requested to prepare a contract, and the Mayor and Municipal Clerk be authorized to execute the contract in a form satisfactory to Corporate Counsel.

5. Award of Contract for the Supply and Delivery of Aggregates for Waterfront Trail Construction (PWT00013) (Item 5.3)

- (a) That approval be given to issue Purchase Orders to:
 - (i) Greenfield Aggregates, Rexdale, Ontario - for the supply and delivery of an estimated quantity of 3,500 tonnes of 50mm - 150mm cobblestone and an estimated quantity of 12,000 tonnes of 100m - 250mm cobblestone at \$14.75 per unit price; and,
 - (ii) Blue Circle Aggregates, Cambridge, Ontario - for the supply and delivery of an estimated quantity of 1,000 tonnes of washed pea gravel 9.5mm at \$14.10 per unit price; and,
 - (iii) LaFarge Canada Inc., Dundas, Ontario - for the supply and delivery of an estimated quantity of 1,000 tonnes of Armour stone at \$43.50 per unit price.

all being the lowest of five (5) tenders received in accordance with specifications C11-5999 issued by the Purchasing Division and the vendors tender; and,

- (b) That City Council approve the actions of the Mayor of the City of Hamilton and the City Manager in issuing the above Purchase Orders under the emergency procedures under the City of Hamilton/Region of Hamilton-Wentworth Purchasing Policy #5.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest** (item 1)

None declared.

- (b) **Adoption of Minutes** (Item 2)

That the following Minutes of the Parks and Recreation Committee be adopted:

- (i) December 6, 1999
- (ii) November 30, 1999 (Special Meeting)

- (c) **Information Items** (Item 5.4)

That the following Information Items, previously distributed to Members of the Parks and Recreation Committee, be received:

- (i) New Mum Show Sub-Committee - Minutes of Meeting held October 21, 1999; and,
- (ii) Explore the Core - Christmas in Downtown (CSC99056); and,
- (iii) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meeting held November 8, 1999; and,
- (iv) Letter dated December 8, 1999 from Burke Austin, Secretary, Beachstrip/Woodward Community Council re: Dissolution as a Community Council under the umbrella of the Culture and Recreation Department; and,
- (v) 1999 Chrysanthemum Show "Mums and Sugarplums" (PWT00008); and,
- (vi) Chedoke Winter Sports Park (CSC0002).

(d) Hamilton Civic Golf Courses Year 2000 Operations (Item 6.1)

The Committee moved in camera to discuss personnel and contract matters respecting the Hamilton Civic Golf Courses.

The Committee reconvened in open session and approved the following:

That this matter be tabled to the January 31, 2000 meeting of the Parks and Recreation Committee.

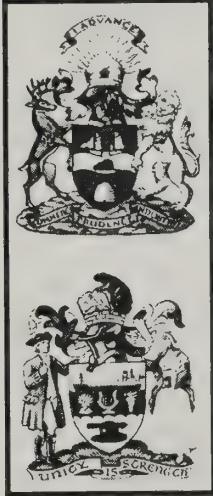
It was noted that a Special Meeting of City Council may be required prior to Regional Council on February 1, 2000 to deal with this matter.

Note: The meeting of the Parks and Recreation Committee adjourned at 6:55 p.m.

Respectfully submitted,

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
January 25, 2000**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Wednesday January 12, 2000

7:00 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman D'Amico (Chairperson), Alderman Copps (Vice-Chairperson), Alderman Charters, Alderman Eisenberger, Alderman Caplan, Alderman Kelly, Alderman Haining

Regrets: Mayor Morrow (Civic Business), Alderman Corsini (Vacation)

Also Present: Alderman A. Horwath, Alderman D. O'Sullivan, P. Mason, B. Janssen, T. Agnello

Alderman F. D'Amico Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. St. Mark's Church – New Use (Item 2.1)

(a) That the following recommendation **be denied**:

- A. That the Planning and Development Committee direct the staff of the Community Planning and Development Division to proceed immediately with a City Initiative to rezone the lands at 130 Bay Street South from "E-3" (High Density Multiple Dwellings) District to "A" (Conservation Open Space, Park and Recreation, etc) District, modified, to reflect the proposed land use, as a condition of sale;

- B. That any sale of the property be subject to the finalization of the rezoning as identified in Recommendation "A" above;
- C. That staff in Real Estate and Legal Services be directed to enter into negotiations with the Charismatic Episcopal Church of Canada (Church of the Deliverer) for the purposes of entering into an agreement of purchase and sale for the cost of \$350,000.;
- D. That the sale of the St. Mark's property be subject to the following conditions:
- 1) that a Heritage Conservation Easement be signed in favour of the City of Hamilton on the church building and on the open space;
 - 2) that the City be granted the right of first refusal;
 - 3) that the owner of the St. Mark's property guarantee public access to the grounds of St. Mark's; and,
 - 4) that a letter of intent be signed with the new owners agreeing to complete the renovations within two years from the date of purchase.
- (b) That City Council continue to look for alternate uses for St. Mark's Church. **LOST (SEE SECTION 2)**

For the information of City Council respecting Item 1:

At the public meeting associated with this matter, the following individuals made oral submissions:

- Roberta Harmon, Durand Neighbourhood Association spoke in opposition to the staff recommendation. She submitted a letter and questionnaire which was answered by Bill Janssen.
- Janice Brown of 163 Duke Street and a member of the Durand Neighbourhood Association, spoke in opposition to the staff recommendation.
- Ellen Campbell of 43 Mount Royal Crescent in Mount Campbell spoke in favour of the staff recommendation
- Joan McDonald of 43 Duke Street spoke in opposition to the staff recommendation.
- Paul Mansfield of 121 Hunter Street West spoke in favour of the staff recommendation.
- Gil Simmons on behalf of Mary Pocius, Chair of CAPIC spoke in opposition to the staff recommendation.

- Brian Henley, 19 Alexander Street, and a member of LACAC spoke in favour of the staff recommendation.
- Diane a Staff person at the Hamilton Sexual Assault Centre and resident of 24 Charlton Avenue West spoke in favour of the recommendation.
- Vilma Rossi of the Hamilton Sexual Assault centre stated that they need to enter into discussions with the group wishing to purchase St. Mark's regarding their program.
- Mary Schnieder of 41 Fairleigh Avenue North suggested the property be rezoned as greenspace.
- Laurie Axey of 168 Emerald Street South wants the continuance of greenspace.
- Helene Fallon of the Durand Neighbourhood Association spoke in opposition to the staff recommendation.
- Sue Shaker of 45 Markland Avenue was concerned that there is no current appraisal.
- Nicholas Kebleham, 166 Charlton Avenue West was concerned that there is no current appraisal.
- Ed Shaker of 45 Markland Avenue spoke in opposition to the staff recommendation.
- Connie Hughes of 177 Duke Street questioned people's ability to use the property as greenspace.
- Russel Elmond, Durand Neighbourhood Association spoke in opposition to the staff recommendation.

A motion was placed on the floor that the property not be sold to the Charismatic church and that the land be rezoned open space. This motion was defeated.

A motion was placed on the floor to deny the staff recommendation and request council to continue to look for alternate uses. This motion was defeated.

A motion to approve the staff recommendation was placed on the floor and was defeated on a recorded vote as follows:

Recorded Vote:

Yeas: Alderman Kelly, Alderman Caplan-2

Nays: Alderman Charters, Alderman D'Amico, Alderman Haining, Alderman
Copp, Alderman Eisenberger -5 **LOST**

Subsequently the second motion placed on the floor was reconsidered and approved.

Council Recorded vote.

YEAS: Aldermen Kiss, Horwath, Corsini, Haining, Copps, Charters. –6.

NAYS: Mayor Morrow, Aldermen Caplan, Morelli, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –9. **LOST.**

2. St. Mark's Church – New Use

- A. That the Planning and Development Committee direct the staff of the Community Planning and Development Division to proceed immediately with a City Initiative to rezone the lands at 130 Bay Street South from "E-3" (High Density Multiple Dwellings) District to "A" (Conservation Open Space, Park and Recreation, etc) District, modified, to reflect the proposed land use, as a condition of sale;
- B. That any sale of the property be subject to the finalization of the rezoning as identified in Recommendation "A" above;
- C. That staff in Real Estate and Legal Services be directed to enter into negotiations with the Charismatic Episcopal Church of Canada (Church of the Deliverer) for the purposes of entering into an agreement of purchase and sale for the cost of \$350,000.;
- D. That the sale of the St. Mark's property be subject to the following conditions:
 - 1) that a Heritage Conservation Easement be signed in favour of the City of Hamilton on the church building and on the open space;
 - 2) that the City be granted the right of first refusal;
 - 3) that the owner of the St. Mark's property guarantee public access to the grounds of St. Mark's; and,
 - 4) that a letter of intent be signed with the new owners agreeing to complete the renovations within two years from the date of purchase.

ADDED.

Council Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Morelli, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –9.

NAYS: Aldermen Kiss, Horwath, Corsini, Haining, Copps, Charters. –6. **CARRIED.**

For the information of City Council:

(a) Declarations of Interest (Item 1)

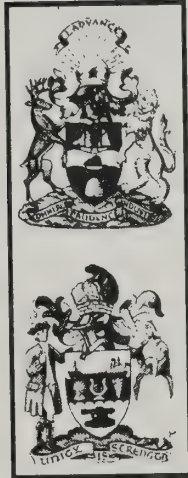
None declared.

Note: The meeting adjourned at 8:45 p.m.

Respectfully submitted,

**Alderman Frank D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
January 12, 2000**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

REPORT 02-00 TO CITY COUNCIL

Wednesday, January 19, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen B. Charters, F. Eisenberger, M. Caplan, R. Corsini, B. Kelly, D. Haining

Also Present:

L. Coveyduck, G. Paparella, P. Mallard, P. Mason, A. Zuidema, P. Lampman, D. Clark, E. Switinky, E. Chajka, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. **ZAC-99-26 for 844 Upper Wentworth Street (PDC99068) (Item 3.1)**
 - (a) That approval be given to Official Plan Amendment No. 165 to establish a new Special Policy Area to permit an aesthetics and beauty salon within the "Residential" designation, on lands known as 844 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A", and that the Corporate Counsel be directed to prepare a By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.

- (b) That approval be given to amended Zoning Application ZAC-99-26, Skinder Shelly Sohal, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified, to permit an aesthetics and beauty salon within the existing single family dwelling, for property located at 844 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A" on the following basis:

- (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District – Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled;

- (ii) That the subject lands be rezoned from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc. - Holding) District;
- (iii) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (1) That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses will be permitted:

- (a) An aesthetics and beauty salon only within the existing building;
- (b) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;

- (2) That a minimum 3.0 m wide landscape strip, and a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line;

- (3) That a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly and southerly lot lines;
 - (4) That a minimum 1.38 m wide landscape strip shall be provided and maintained along the easterly lot line except for any area used for vehicular access;
 - (5) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, not less than four (4) parking spaces shall be provided and maintained on the subject lands;
 - (6) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a parking space length of not less than 5.8 m shall be provided and maintained;
 - (7) Section 18A(14) of Zoning By-law No. 6593 shall not apply; and
 - (8) Section 18A(26) of Zoning By-law No. 6593 shall not apply.
- (iv) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1438, and that the subject lands on Zoning District Map E-18 be notated S-1438;
 - (v) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council;
 - (vi) That the proposed change and modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the proposed Official Plan Amendment No.165 by the Region of Hamilton-Wentworth; and,
 - (vii) Upon approval of the Official Plan Amendment and implementing Zoning By-law, the Bruleville Neighbourhood Plan be amended by redesignating the subject lands from "Commercial/Residential Conversion" to "Commercial".
- (c) That Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be amended by adding the subject lands to Schedule "A".

For the Information of City Council respecting item 1:

Prior to this Public Meeting, the Chairman advised those present that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral Statement or written statement at the Public Hearing.

The proponents were present in favour of the staff recommendation.

The Committee approved the recommendation as amended to add Subsection (c).

2. ZAC-99-38 for 164 Rymal Road West (PDC00004) (Item 3.2)

That approval be given to Amended Zoning Application ZAC-99-38, Demetre Dekaneas, prospective owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located at 164 Rymal Road West, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (d) That the subdivision agreement remain on title in perpetuity.

For the information of City Council respecting Item 2:

Prior to this Public Meeting, the Chairman advised those present that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral Statement or written statement at the Public Hearing.

The applicant and Angelo Camaracci were present in favour of the staff recommendation.

Harley Allison, adjacent property owner was present to state his concerns regarding appropriate drainage and fencing.

The Committee approved the recommendation as amended to include subsection (d).

**3. Condominium Conversion, 23-25 Macauley Street West (PDC00001)
(Item 4.1)**

- (a) That approval be granted to application CDM-CONV-99-003 (Regional File 25CDM-99014) submitted by Emilia Fazekas, owner, for a draft plan of condominium for the property located at Nos. 23-25 Macauley Street West as shown on the attached Plan marked as APPENDIX "C", to provide for a condominium comprised of 5 individual townhouse condominium units, subject to the following conditions:
- (i) That this approval applies to the attached draft plan dated January 4, 1999 (APPENDIX "A") prepared by B.A. Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to Corporate Counsel, including, but not limited to:
 - 1) a condition which states that the portion of the parking within the Macauley Street West road allowance remains at the pleasure of City of Hamilton Council;
 - 2) a condition that states the City has the authority to rescind the agreement and have the parking removed from the road allowance;
 - 3) a condition that states it will be the sole responsibility of the Condominium Corporation to revise the approved plans, as required, to remove parking spaces P-1 to P-6 inclusive from the Plan.
 - (iii) That prior to approval of the final plan:
 - 1) the property taxes shall be in good standing and the draft plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan; and,
 - 2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593, namely, the non-conformity related to the provision of the six (6) required parking spots having a minimum dimension of 2.7m x 6.0m.

- (iv) That the applicant/owner enter into a Boulevard Parking Agreement with the City of Hamilton; and,
 - (b) That the Municipal Clerk be directed to advise the Director of the Land Development Department of the Community Planning & Development Division of Council's decision.
- 4. **Authorization for Staff attendance at an OMB Hearing- 83 Rosemont Avenue (PDC00002) (Item 4.2)**

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:200, respecting property located at No. 83 Rosemont Avenue, as shown on attached map marked as APPENDIX "D".

- 5. **Revision to By-law 99-103 for lands on the South Side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive (PDC00003) (Item 4.3)**

- (a) That Section 5 of By-law No. 99-103 be repealed in its entirety and replaced with a new subsection as follows:

"5. Sheet No. E-49B of the District Maps is amended by marking the lands referred to in section 1 of this By-law as S-1429a."

- (b) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49B for presentation to City Council; and,
 - (c) That the proposed modification to Zoning By-law No. 99-104 is in conformity with the Official Plan for the Hamilton Planning Area.

- 6. **Demolition of 901 Scenic Drive – (PDC00005) (Item 4.4)**

That the Building Commissioner be authorized to issue a demolition permit for 901 Scenic Drive in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

- 7. **Demolition of 1328 Fennell Avenue East – (PDC00006) (Item 4.5)**

That the Building Commissioner be authorized to issue a demolition permit for 1328 Fennell Avenue East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

8. Demolition of 84 Kennedy Avenue – (PDC00007) (Item 4.6)

That the Building Commissioner be authorized to issue a demolition permit for 84 Kennedy Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. Core Heritage 2000 Program, 84 James Street North (HSB00001) (Item 4.7)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of eighteen thousand and twenty dollars (\$18,020) to Eduardo Importing Ltd., registered owner of 84 James Street North, be approved.

10. Core Heritage 2000 Program, 47 James St. South (HSB00002) (Item 4.8)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of sixty-three thousand, eight hundred and sixteen dollars (\$63,816) to David H. Blanchard Property Corporation, registered owner of 47 James Street South, be approved.

11. Gore Heritage 2000 Program, 7–9 King Street East (HSB00003) (Item 4.9)

That a grant, for façade improvements, under the Gore Heritage 2000 Program in the amount of twenty thousand dollars (\$20,000) to Belinda Murray, Curtis Murray, and Austin Murray and Herta Murray, c.o.b. as B.C. Investments Co., registered owners of 7 – 9 King Street East, be approved.

12. Concession Street BIA Proposed Budget and Schedule of Payment for 2000 (PWT00004) (Item 4.10)

- (a) That the 2000 operating budget for the Concession Street B.I.A. (attached as Appendix 'E') be approved in the amount of \$17,000; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,

- (c) That the following schedule of payments for 2000 be approved:

January	\$4,250
April	\$4,250
June	\$4,250
September	\$4,250

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

13. Main Street West BIA Proposed Budget and Schedule of Payment for 2000 (PWT00005) (Item 4.11)

- (a) That the 2000 operating budget for the Main Street West Street B.I.A. (attached as Appendix 'F') be approved in the amount of \$2,900; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

January	\$2,900
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Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

14. Appointment of a Chief Building Official (PDC00023) (Item 6)

That By-Law 96-138, The Appointment of Inspectors, be amended as follows:

- (a) Remove Len King as the Chief Building Official, under sentence (1);
- (b) Remove Peter C. Lampman as the Chief Building Official in the absence of the Chief Building Official, under sentence (2);
- (c) Appoint Peter C. Lampman as the Chief Building Official; and,
- (d) Appoint Tom Redmond as the Chief Building Official in the absence of Peter C. Lampman.

15. Bills:

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) C-01 A By-law to Amend By-law No. 96-138 Respecting the Appointment of Inspectors.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes**
 - December 3, 1999 (Item 2.1)
 - December 8, 1999 (Item 2.2)
 - December 14, 1999 (Item 2.3)

The Minutes of the meetings held December 3, 1999, and December 14, 1999 were adopted.

The minutes of the meeting held December 8, 1999 were approved as amended to change Alderman Copps' s comments in item 1. as follows:

"Alderman Copps suggested that we require new buildings over a certain size to have underground parking".

- (c) **Information Items (Item 7.14)**

That the following Information Items as previously distributed to Members of the Planning and Development Committee, be received

- (i) Secretary, LACAC re: LACAC minutes of December 8, 1999, dated January 6, 2000
- (ii) Heritage Canada Foundation re: Tax Treatment of Heritage properties dated December 15, 1999
- (iii) Correspondence from the Mayor to Richard Alway, Historic Sites and Monuments Board of Canada re: Auchmar and reply dated December 3, 1999
- (iv) Correspondence from the Mayor to Marjorie Mercer, Ontario Heritage Foundation re: Auchmar and reply dated December 2, 1999

- (v) Ministry of Municipal Affairs and Housing re: Provincial Sales Tax Grant Program for affordable housing dated November 19, 1999
- (vi) General Manager, Community Planning and Development Division, re: 195 Ferguson Avenue North – Implementation of Wesley OMB decision (5th Report) (PDC99088)
- (vii) Economic Development and Tourism Committee re: Hamilton Halton Homebuilders' Association – City/Region Agreement – Marketing Plan dated December 8, 1999
- (viii) General Manager, Community Planning and Development Division re: Proactive Property Enforcement in the Downtown (PDC00008) dated December 22, 1999
- (ix) Dianne Cunningham, Minister of Training, Colleges, and Universities re: Increased Funding for on-campus Housing dated December 20, 1999

(d) **Referral From Council** (Item 5)

Correspondence from the Hamilton Homebuilders' Association re: Planning Department Staff Attrition for the Year 2000 was received.

(e) **Other Business** (item 6)

The Committee resolved as follows:

That the Community Planning and Development Division and Corporate Counsel staff be directed to prepare draft zoning by-laws that would implement the conditional agreement between the City of Hamilton and the Hamilton Harbour Commissioners for open space and a modified F-4 zoning in the area of Windermere Basin.

Note: The meeting of the Planning and Development Committee adjourned at 10:30 a.m.

Hamilton City Council

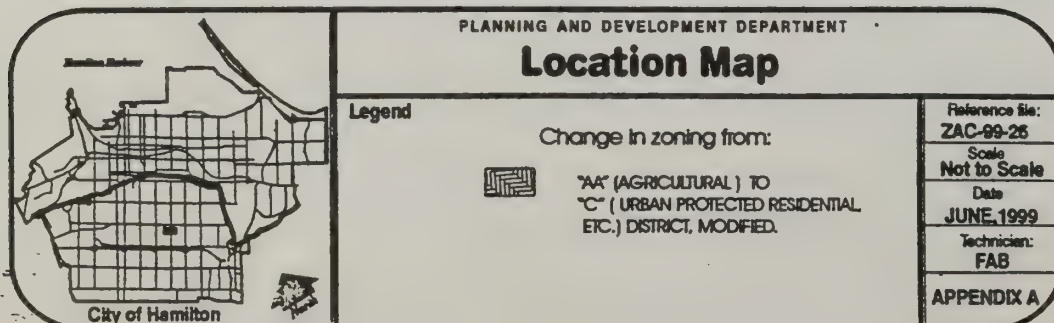
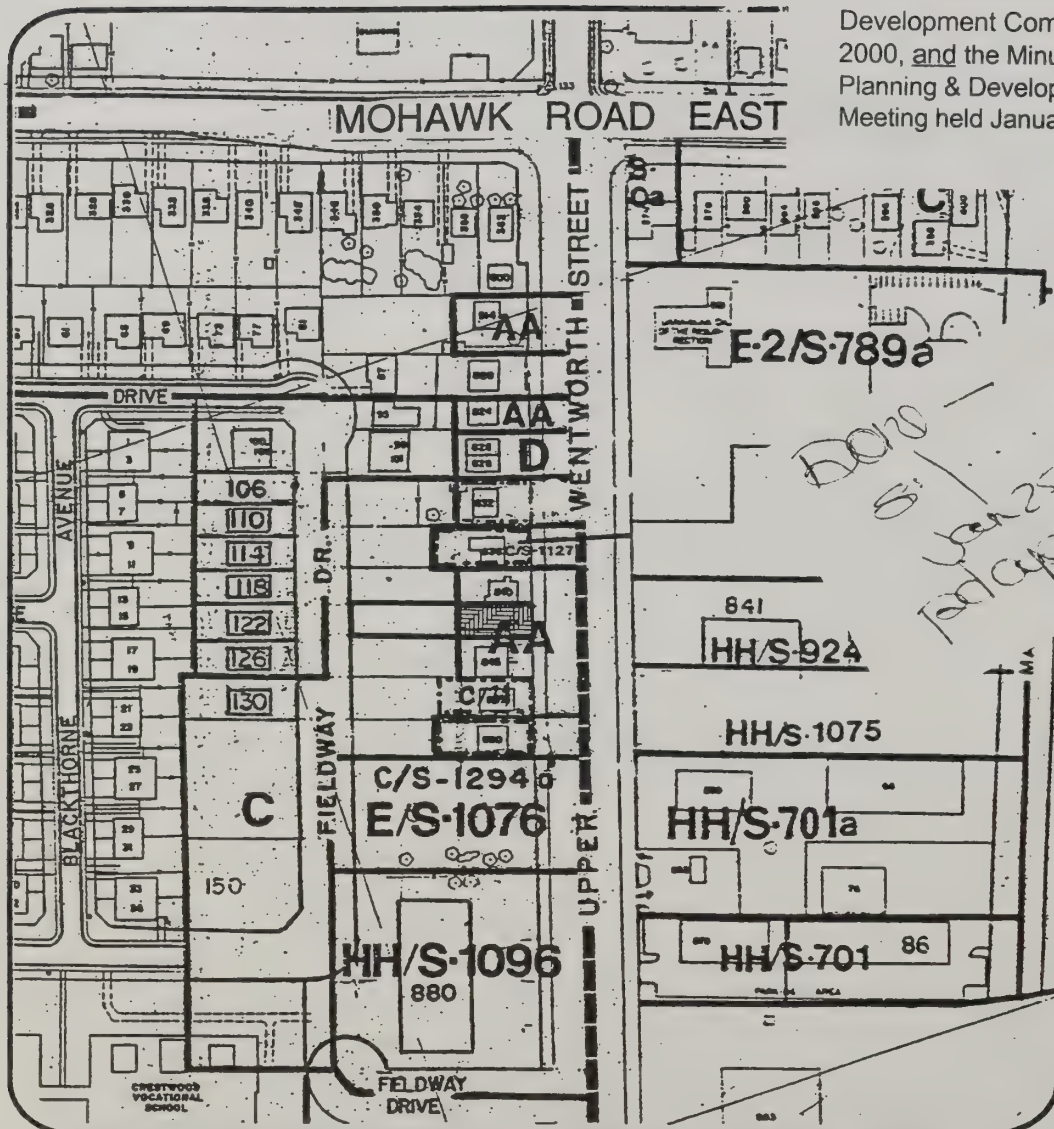
Minutes of January 25, 2000

Respectfully submitted,

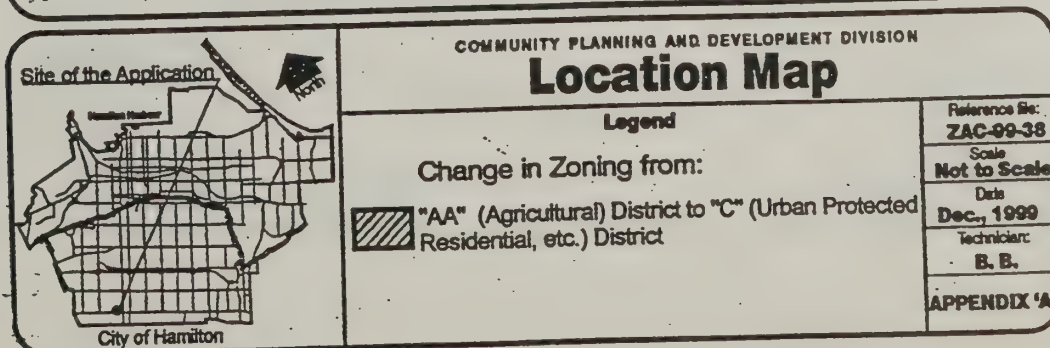
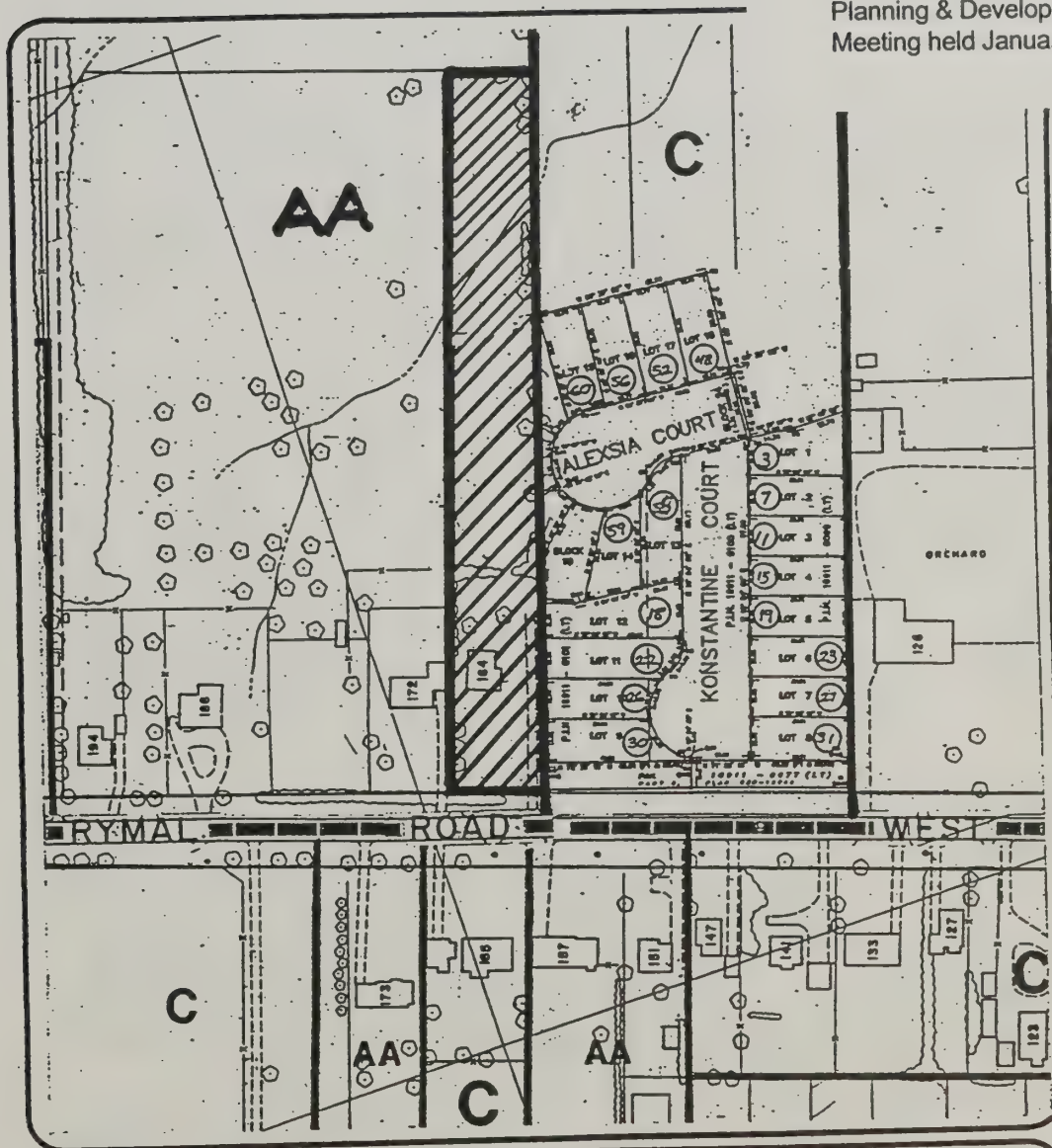
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
January 19, 2000**

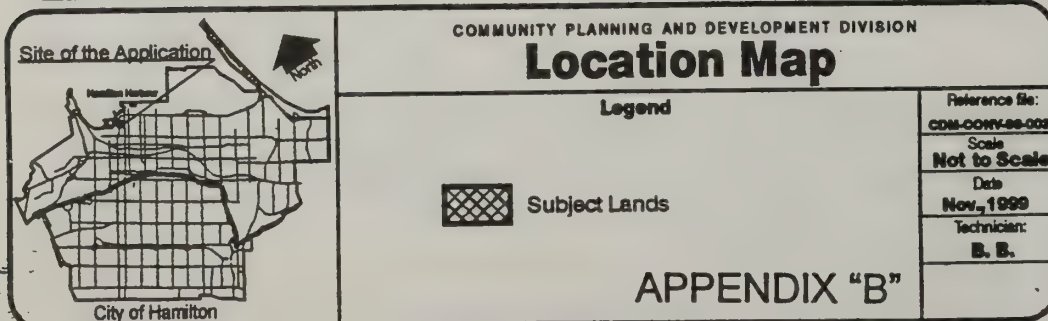
Appendix "A" referred to in Section 1 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



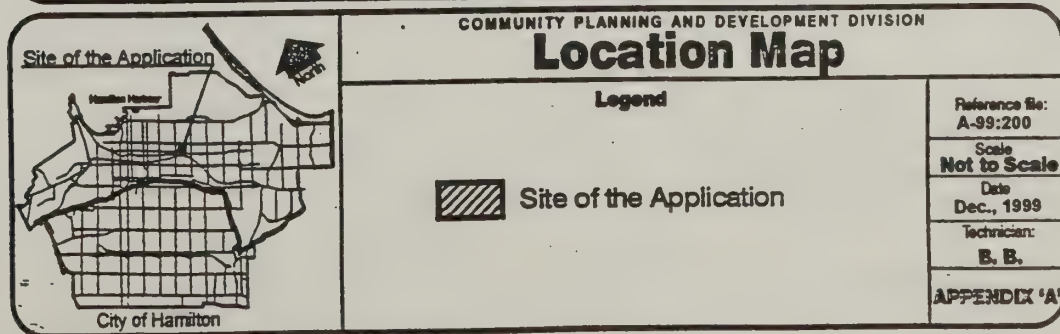
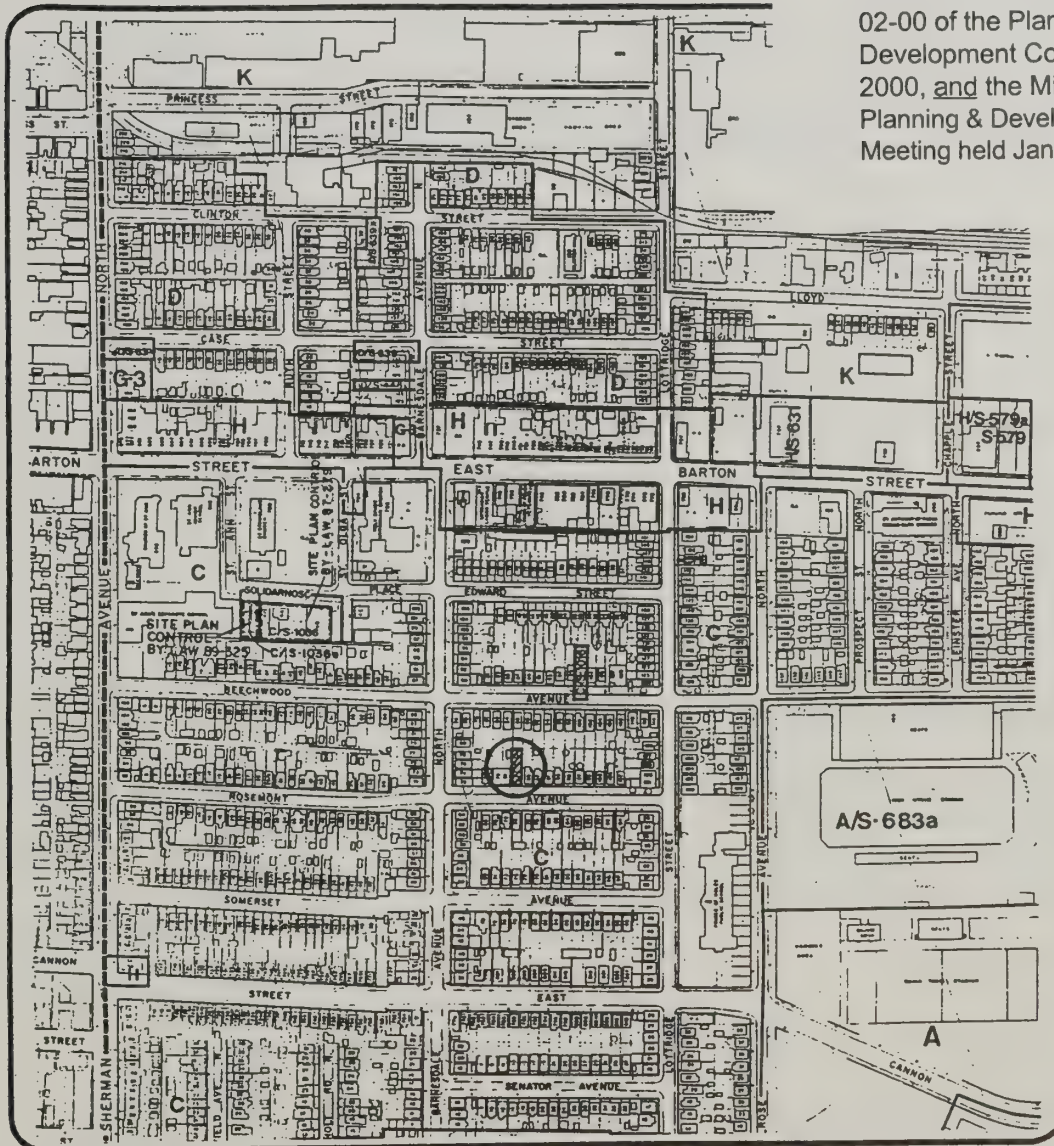
Appendix "B" referred to in Section 2 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



Development Committee
2000, and the Minutes of
Planning & Development
Meeting held January 19,



Appendix "D" referred to in Section 4 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



**Concession Street Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT00004**

Appendix "E" referred to
in Section 12 of Report
02-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held January 19, 2000.

APPENDIX

CONCESSION STREET BUSINESS IMPROVEMENT AREA'S

2000 BUDGET

EXPENSES

Advertising and Promotion

Installation and storage of Christmas Decorations	\$3,000
Hydro-Christmas Lights	\$ 850
Streetfest and Corn Roast	\$6,600
Christmas, Bunny Hunt, Hollween, Newsletter	\$2,000

Administration

Office supplies, stamps, envelopes, printing, newsletter	\$900
Insurance	\$950
Accounting-auditor	\$350

Other

Wine and Cheese, Business to Business	\$700
Clean Sweep, Miscellaneous	\$500
Christmas decoration project	
Co-op advertising	\$1,150

TOTAL BUDGET	\$17,000
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Appendix "F" referred to
in Section 13 of Report
02-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held January 19, 2000.

**Main Street West Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT00005)**

APPENDIX

MAIN STREET WEST BUSINESS IMPROVEMENT AREA'S

2000 BUDGET

Insurance	\$ 300.00
Meeting Expenses	\$ 500.00
Audit	\$ 400.00
Maintenance	<u>\$1,700.00</u>
TOTAL BUDGET	\$2,900.00



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Report 01-00 TO CITY COUNCIL

Tuesday, January 18, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington, (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, M. Caplan, A. Sloat

Also Present:

Councillors A. Marrone, G. Copps, R. Corsini
D. Lychak, J. Johnston, J. Bruzzese, D. Hall, A. Ross, Fire Chief G. Peace, R. Fair, L. Coveyduck, K. Nutley, H. Vastis, A. Herron, M. Wilson, Susan K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Declaration of Surplus Property - part of 280 Lake Avenue North (CS00001) (Item 19)**
 - (a) That a vacant parcel with an area of 0.2 hectares (0.5 acres) more or less, with a frontage of 20.23 metres (66.39 feet) on the east side of Lake Avenue North and a depth of 104 metres (340 feet), more or less, being part of a 7.43 hectare (18.35 acre) property owned by the City of Hamilton in the Stoney Creek ravine on the north side of Barton Street between Lake Avenue and Brockley Street, municipally known as 280 Lake Avenue North, Hamilton, be

declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

2. City of Hamilton Temporary Borrowing By-law (FIN2000-001)(Item 20)

- (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 2000 pending receipt of current revenues; and,
- (b) That the appropriate borrowing By-law be approved.

3. City of Hamilton 2000 Interim Taxation (FIN2000-005)(Item 21)

- (a) That the interim taxation rates for the City of Hamilton be set as follows, representing one half of the 1999 taxation rates rounded downward to 4 decimal places:

Class	Class Code	Rate
Residential	RT	.0094
Multi-Residential	MT	.0244
Residual Commercial	CT/DT	.0377
Residual Commercial Vacant	CU/DU	.0264
Shopping Centre	ST	.0339
Shopping Centre Vacant	SU	.0237
Parking and Vacant Commercial Land	CX/GT	.0355
Residual Industrial	IT	.0572
Residual Commercial Vacant Land and Unit	IU/IX	.0372
Large Industrial	LT	.0596
Large Industrial Vacant	LU	.0387
Pipeline	PT	.0185
Farmland	FT	.0023
Managed Forest	TT	.0023
Rail Right of Way	WT CN	\$1,006.40/Acre
Rail Right of Way	WT CP	\$1,206.56/Acre
Utility Right of Way	UT	\$ 832.59/Acre

- (b) That an adjustment be made to the appropriate accounts, in the amount of 50% of the projected 2000 phase-in adjustment for

properties in the residential, farmland and managed forest classes in conjunction with the interim 1999 billing for those properties.

- (c) That an adjustment be made to the appropriate accounts, in the amount of 50% of the 1999 graduated tax rate adjustment for residual commercial and residual industrial classes of property, in conjunction with the interim 2000 billing for those properties.
- (d) That a non-metered water and sewer surcharge interim levy be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1999 charge, to be billed in two equal instalments, respectively payable on the dates that the related realty bills are due.
- (e) That in accordance with The Fairness for Property Taxpayer's Act, Section B of the capping provisions be applied to the commercial, industrial and multi-residential classes property specific be applied in the amount of 50% of the 1999 application of the capping program.
- (f) That all property classes, be billed for the 2000 interim levy in two instalments due February 29th and March 31st, respectively.
- (g) That the Director of Legal Services be authorized and directed to prepare the appropriate City of Hamilton By-law(s) and that the By-law(s) be passed and enacted.

4. Authorization to advertise externally for candidates to fill the position of Deputy Fire Chief - Operations, Hamilton Fire Department (CSC00001)(Item 22)

- (a) That the General Manager, Community Services Division be authorized to advertise externally simultaneously with the internal posting in order to ensure the best possible list of qualified candidates to fill the position of Deputy Fire Chief - Operations, Hamilton Fire Department and to streamline the hiring process; and,
- (b) That City Council expresses its sincere appreciation to retiring Deputy Chief Jim Cardwell for 30 years of dedicated service to the community.

5. Bills

That the following bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-1 A By-law to Authorize the temporary borrowing of monies to meet current expenditures pending receipt of current revenues.
- (b) D-2 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.
- (c) D-3 A By-law to enact an Interim Tax Levy. **(ADDED)**

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes- December 07, 1999 (Item 11)**

That the Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on December 07, 1999 be adopted.

- (c) **Development Charges Act - Complaint - 80 Newlands Avenue (FIN2000-004)(Item 12)**

The Committee agreed to table this matter for further review and discussion with Staff.

- (d) **Correspondence - Implementation of Safety Measures for Horseback Riding Stables and Riding Camps in the City of Hamilton (Item 13)**

The Committee agreed to refer this matter to the Regional Community Services and Public Health Committee.

- (e) **Referral from City Council - Review of the Mandate and Operations of the Downtown Partnership (Item 14)**

The Committee agreed to table this matter to their next meeting and invite Representatives of the Hamilton Downtown Partnership to attend as a Delegation.

(f) **Information Items Listing (Item 15)**

The Committee approved the receipt of the listing of Information Items Forwarded to them under separate cover.

(g) **Adoption of Minutes (Item 18)**

The Committee approved the minutes of a special meeting of the City Finance and Administration Committee held on Wednesday, November 24, 1999.

(h) **1997 Financial deficit - Lakeland Pool (Item 23)**

The Committee agreed to refer this matter to the General Manager, Finance for a report back regarding all amounts outstanding.

(i) **5% Parkland Dedication calculation - Woodland Meadows Subdivision (New Business #1)**

The Committee agreed that staff meet with the parties involved with the Woodland Meadows Subdivision for the purpose of resolving the 5% parkland dedication amount owing.

(j) **Claim - 120 Eastbourne Avenue (New Business #2)**

The Committee agreed that staff report back on the details of a tree claim at the property of 120 Eastbourne Avenue.

(k) **Brownfield Development Task Force (New Business #3)**

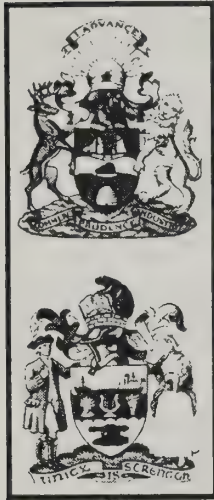
The Committee agreed that the Brownfield Development Task Force consist of Five members of City Council, and that the Nominating Committee be requested to determine who those members will be.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:30 a.m.

Respectfully submitted,

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
January 18, 2000**



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Report 02-00 TO CITY COUNCIL

Tuesday, January 25, 2000

7:00 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman D. O'Sullivan (Vice-Chairman and Acting Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Regrets: Alderman D. Wilson (Chairman) - family illness

Also present: Aldermen R. Corsini, F. Eisenberger, T. Anderson, G. Copps, D. Lychak, J. Bruzzese, A. Ross, R. Roszell, K. Nutley, H. Vastis, Susan K. Reeder

Alderman D. O'Sullivan, Acting Chairman called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. **Receipt of Offers to Purchase - 11 Rebecca Street (CS00002a)(Item 2)**
 - (a) That an Offer to Purchase, to be executed by Diman Properties Inc. (in trust) scheduled to close on or before March 16, 2000, for real property composed of part of Lots 49, 50 and 56, Nathaniel Hughson Survey (unregistered), described as Part 1 on Plan No. RB-H-641 Surveys, municipally known as 11 Rebecca Street, Hamilton, having a frontage of 36.8 metres (120.74 feet) more or less, having an irregular shape and an area of 0.128 hectares (0.316 acres) more or less, be approved and completed and the funds derived from this sale in the amount of \$215,000, be credited to Account Centre 47702-100035 (Reserve for Property Purchases - Sales); and,

- (b) That the required deposit cheque in the amount of \$21,500 be held by the General Manager, Finance pending completion of this transaction; and,
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (d) That this Offer to Purchase Agreement contain the conditions as set out in Schedule "A" attached hereto; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by City Council on July 6, 1999 pursuant to Item 16 of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale by the following method: listing the property for sale with a real estate broker and on the MLS of the Hamilton-Burlington and District Real Estate Board;
 - (iii) an appraisal of fair market value of this real property intended to be sold was obtained on November 9, 1999.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Invoke Rule 3(d) of the City's Procedural By-law (New Business #1)

The Committee agreed to invoke Rule 3(d) of the City's Procedural By-law Respecting the time line requirements for Notice of Meeting in order to allow the Special Meeting to be held.

Note: The meeting of the Special Meeting of the City Finance and Administration Committee adjourned at 7:15 p.m.

Respectfully submitted,

**Alderman D. O'Sullivan, Acting Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
January 25, 2000**

SCHEDULE "A"

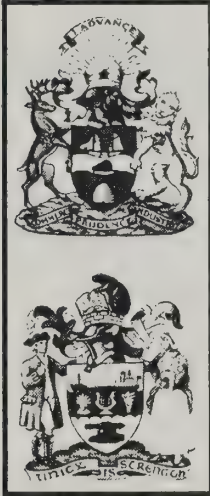
24. Whereas (i) the Vendor is in possession of an appraisal of the property estimating its current value as Three Hundred and Twenty-Five Thousand Dollars (\$325,000.00); (ii) the Purchaser has represented to the Vendor that the Purchaser is acquiring the property for the purposes of renovating and/or reconstructing the property in order to lease and/or sell the premises therein (such renovation and/or reconstruction to be hereinafter referred to as the "Purchaser's Renovation"); and (iii) the Vendor on the basis of such representation has agreed to sell to the Purchaser the property at the purchase price herein; the parties hereto agree as follows:
- (a) Prior to the date (the "Mortgage Advance Date") which is the later of (i) the date on which a construction mortgage is registered against title to the property in favour of a third party (the "Construction Lender") and (ii) the date on which the Construction Lender notifies the Vendor in writing that it has advanced funds to the Purchaser pursuant to the said mortgage, the Vendor shall have the option, which option is granted to the Vendor by the Purchaser for good and valuable consideration, to re-purchase the property at the Option Price described in subparagraph (c) below and to receive a conveyance of it free and clear of all charges and encumbrances, liens, claims or adverse interests whatsoever upon thirty (30) days' notice to the Purchaser in the event that the Purchaser fails to comply with the following covenants and agreements in this paragraph (a) or any of them by the date(s) set out therein:
- (i) The Purchaser covenants and agrees that if and when the existing building on the property is demolished, the Purchaser will proceed to redevelop the property and will commence construction of a new building on the property in order to prevent the creation of a vacant site and/or parking lot without the consent of the Vendor. Prior to the issuance of a demolition permit, the Purchaser/owner/applicant shall have obtained site plan approval for the new development and the construction of the proposed building on the property and further, shall have obtained a building permit for the proposed building. The construction of the said new building shall be commenced within twelve (12) months and completed within three (3) years from the date the demolition permit for the existing building is issued.
- (ii) Unless the demolition permit described in subparagraph (i) hereof is applied for by the Purchaser within six (6) months of the closing date herein then, notwithstanding the terms and provisions of said subparagraph (i), the Purchaser further covenants and agrees:

- A. to complete the removal and/or strapping of the asbestos within the existing building on the property within twelve (12) months of the closing date as required for the Purchaser's Renovation;
- B. to apply for all building permits required for the Purchaser's Renovation within eighteen (18) months of the closing date herein; and
- C. to complete the Purchaser's Renovation within four (4) years of the closing date herein.

For greater certainty, the Vendor acknowledges and agrees that its rights described in this subparagraph 24(a) shall terminate and be of no further force or effect from and after the Mortgage Advance Date. To this intent, the Vendor shall execute and deliver a registrable release of such rights, in form satisfactory to the Construction Lender's solicitors, acting reasonably, within fourteen (14) days of the Mortgage Advance Date.

- (b) The "Option Price" shall mean the lessor of the purchase price herein and the current market value of the property on the date of exercise by the Vendor of the option described in subparagraph 24(a) without increase or compensation for any improvements, additions, or alterations in, on or under the property, less: (i) the commission paid (if any) by the Vendor to the real estate agent in connection with the within sale; (ii) arrears of taxes, penalty and interest (including local improvement charges); (iii) amounts required to discharge any mortgages, liens, charges or other encumbrances against the property; and (iv) the costs of the Vendor incurred in entering on the property and retaking and reselling the land.
- (c) For the purposes of subparagraph 24(b), the "current market value" shall be based on an estimate of a real estate appraiser accredited with the Appraisal Institute of Canada, who is selected by and mutually acceptable to both parties. The costs of said appraisal shall be borne by the Purchaser.
- (d) From and after the Mortgage Advance Date, the Purchaser shall, within thirty (30) days of written demand by the Vendor, pay to the Vendor the sum of One Hundred and Ten Thousand Dollars (\$110,000.00) by certified cheque or bank draft in the event that the Purchaser fails to comply with any of the covenants and agreements in subparagraph 24(a) above by the dates set out therein, such sum representing the difference between the purchase price herein and the appraised value of the property described above. Such payment shall be in lieu of, and not in addition to, any and all other remedies available to the Vendor as a consequence of the failure of the Purchaser to comply with the covenants and agreements in said subparagraph 24(b) as aforesaid. To this intent, the Vendor agrees to

deliver to the Purchaser a registrable release of this paragraph 24, in form satisfactory to the Purchaser's solicitors, acting reasonably, within fourteen (14) days of the Vendor's receipt of such payment. Nothing herein is intended to reflect or confirm an agreement between the parties that the said appraised value of the property is an accurate assessment of the current fair market value of the property.



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Thursday, January 13, 2000

6:00 p.m.

Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman B. Kelly (Vice-Chairperson), Alderman D. Haining, D. Drury, N. Mieczko

Also Present: P. Lampman, D. Beck, D. Rose, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. Norman Mehlenbacher – Taxi Cab Driver Licence (Item 3.1)

That the Taxi Cab Driver Licence application of Norman Mehlenbacher be granted subject to Mr. Mehlenbacher submitting an updated driving abstract and medical record to the Issuer of Licences on July 14, 2000.

Noted for the information of City Council respecting Item 1:

Confidential background material pertaining to this matter was circulated to Members of City Council under separate cover

2. Monopoli and Restaurant and Nightclub Inc. (also known as Syndicate Night Club - Restaurant Licence (Item 3.2))

That the Restaurant Licence Application by Monopoli Restaurant and Nightclub Inc. (also known as Syndicate Night Club), be granted subject to the following conditions:

- (a) The Hamilton-Wentworth Regional Police Department be requested to notify the Licence Division with all occurrence reports regarding the Syndicate Night Club.
- (b) The Liquor Licensing Board be requested to report any violations of the Liquor Licensing Act to the Licence Division.
- (c) That the hours of operation be restricted to 2:45 a.m. to match those of the Liquor Licensing Board. (The continuation of this condition to be reviewed by the City of Hamilton Licensing Committee in one month).
- (d) The Licensee be required to comply with the regulations in the City of Hamilton Noise By-Law.
- (e) The City of Hamilton is to be represented at the Syndicate's Liquor Licence Board hearing (date yet to be set).
- (f) That the Hamilton-Wentworth Regional Police Department be requested to have the area beat patrol officer attend the premises nightly as a liaison officer.
- (g)
 - (i) The Licensee is to provide the Hamilton-Wentworth Regional Police with a letter of authority, which enables the police to ban anyone they deem undesirable, for the betterment of the community; and,
 - (ii) That a sign be erected at the entrance to the building stating that a condition of entry is that patrons may be subjected to a personal search.
- (h) The Licensee is to be requested to take steps to ensure that patrons of his premises do not loiter on any property under his control.
- (i) The Licence Division is to report back to the Licensing Committee at the end of one (1) month, three (3) months, six (6) months and one (1) year.

Noted for the information of City Council respecting Item 2:

Confidential background material pertaining to this matter was circulated to Members of City Council under separate cover

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – November 10, 1999 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on November 10, 1999 be adopted.

(c) Taxi Cab Plate Renewals (PDC0014) (Item 4)

- (i) That taxi cab plate owners, who do not hold a valid taxi cab driver's licence be given one year to obtain a licence or to give notice of appeal by July 1st, 2000; and,
- (ii) That taxi cab plate owners who do not renew their licences in person be denied a licence unless a letter of appeal is submitted to the Licensing Committee by February 29, 2000.

Noted for the information of City Council respecting Item (c):

This matter falls within the jurisdiction of the Licensing Committee and therefore does not require Council approval.

(d) Taxicab Priority List Annual Renewal for 1999 (PDC00013) (Item 5.1)

That the list of 141 names of individuals (attached to the General Manager, Community Planning and Development Division report of, January 7, 2000), who have renewed their names on the Taxicab priority List for 1999, in accordance with Licence By-law 98-203, be adopted.

Noted for the information of City Council respecting item (d):

This matter falls within the jurisdiction of the Licensing Committee and therefore does not require Council approval

(e) **Ratification of Licences (PDC00015)** (Item 5.2)

That the Licence Reports respecting licence applications for the period from October 25 to November 15, 1999 be adopted.

Noted for the information of City Council respecting Item (e):

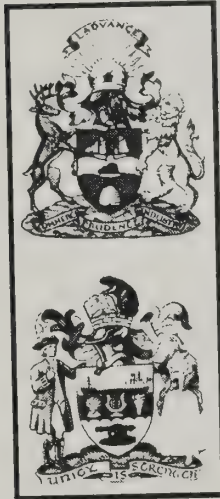
This matter falls within the jurisdiction of the Licensing Committee and therefore does not require Council approval.

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 7:45 p.m.

Respectfully submitted,

**Alderman F. Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant
January 13, 2000**



REPORT

CITY OF HAMILTON MAYOR'S REPORT

Report 01-00 TO CITY COUNCIL

Wednesday, December 22, 1999

2:00 p.m.

Mayor's Office, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow (Chairman), Alderman D. Wilson,
Alderman F. D'Amico, Alderman C. Collins

Regrets: Alderman T. Anderson, Alderman B. Morelli

Also Present: S. Merlo-Orzel, T. Whitehead

Mayor R. Morrow, Chairman called the meeting to order.

YOUR MILLENNIUM COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Millennium Projects and Funding - Main Street 2000 and Matching Funds (Item 2)**
 - (a) That the organizations and events as outlined on the Appendix attached herewith and marked Appendix "A", be recommended to the Province of Ontario to receive funding under the Main Street 2000 Millennium Grant program to an upset limit of \$167,000.00 subject to Provincial approval; and
 - (b) That the organizations and events as outlined on the Appendix attached herewith and marked Appendix "B" be approved for funding from the City of Hamilton Millennium Program representing matched funding to the Provincial program as approved by City Council on November 24, 25 1999 during current budget deliberations and financed as a one-time item from the Reserve for Tax Stabilization.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared

Note: The meeting of the Millennium Committee adjourned at 2:45 p.m.

Respectfully submitted,

**Mayor Robert M. Morrow, Chairman
Millennium Committee**

**S. Merlo-Orzel
Events/Promotions Officer
Culture and Recreation Department
December 22, 1999**

APPENDIX A

Millennium Project Submissions

<i>Name of Organization</i>	<i>Amount of request</i>	<i>Amount Recommended</i>	<i>Comments</i>
Hamilton Community Foundation Our Millennium Hamilton-Wentworth Carolyn Milne, President, CEO Liz Weaver, Executive Director Volunteer Centre of Hamilton/District	\$60,000.00	\$60,000.00	"Our Millennium" project encourages citizens to come together in our communities and contribute special gifts to the future. The gifts which can be of time, money, energy, and commitment must be special, collective and symbolic and are meant to signify the hopes, values and priorities of the people in Hamilton-Wentworth for the future well-being of our communities.
Barbara Smith Fundraising Chair - MADD 49 Amberly Blvd. Ancaster, ON L9G 3S1	\$6,300.00	\$6,000.00	To heighten awareness of impaired driving by providing visual reminder and to support victims of this crime.
City of Hamilton/Regional Municipalities Attention: Karen Baxmeier 527-5092	\$24,000.00	23,000.00	Millennium Archives Guide Benchmark, identify and appraise and document archival records held by municipalities within Region of Hamilton-Wentworth
Native Indian/Inuit Photographer Assoc. Attention: Carol Hill and Steve Loft 580 Concession Street Hamilton, ON L8V 1B1	\$15,000.00	\$15,000.00	NIPA would like to present a series of Native Art and Cultural events during the month of June to coincide with Aboriginal Day.
Hamilton Folk Arts Heritage Council Attention: Vera Papadopolous 149 Main Street East	\$18,000.00	\$18,000.00	To showcase our cultural diversity in the City of Hamilton during the Children's Millennium Festival. The project will include a talent search for young people.

Faith for the Future
 Ecumenical Service
 Copsps Coliseum April 1, 2000
 Bruce Woods - Co-Chair

\$30,000.00

\$30,000.00

Faith for the Future is an ecumenical service held in Copsps Coliseum April 1, 2000. Three hour service with speaker Reverend Robert Schuller, host of television ministry, "Hour of Power". Program is composed of choirs, orchestral/band and signing both traditional and contemporary. It will bring together population areas of Hamilton, Burlington, St. Catharines, Brantford, Kitchener, Waterloo, Cambridge, etc. Three strands of Christianity will be participating: Roman Catholic, Orthodox, and Protestant.

Festilitia Festival

\$18,000.00

\$15,000.00

Millennium Celebration and Mass. It is at Christ the King Cathedral September-00

TOTAL

\$167,000.00

APPENDIX B

Name of Organization	Amount of request	Amount Recommended	Comments
City of Hamilton/Culture and Recreation Attention: Marilyn Havelka	25,000.00	\$15,000.00	Permanent outdoor exhibit if Hamilton's Industrial Heritage These exhibits will take advantage of existing walkways and gathering places in the City.
Vera Papadopoulos, Chairperson 153 Sherman Ave. South Hamilton, ON L8M 2R1	\$15,000.00	\$7,500.00	To design an ornamental garden on the south west corner on the City Hall grounds where an historical plaque honoring the visit of His All Holiness Ecumenical Patriarch Bartholomew 1
City of Hamilton Attention: Coralee Secore Sport Tourism Conference	\$23,750.00	\$13,750.00	Strategies and an action plan in developing a sport tourism at a community level.
Roman Catholic Diocese of Hamilton Attention: Ed Krupica 700 King Street West Hamilton, ON L8P 1C7	\$30,000.00	\$30,000.00	To commemorate 2000 years of Christianity within our community via theatrical presentation
Argyll and Sutherland	\$5,000.00	\$5,000.00	Year 2000 trip to Edinburgh (Tattoo)
Twin Cities/City of Hamilton	\$20,000.00	\$20,000.00	Millennium City Video Camp with Twin Cities (Youth Project July 2000)
Hamilton Olympic Club Attention: Bill Urie P. O. Box 5704 Jackson Square Hamilton, ON L8P 4X1	\$5,000.00	\$5,000.00	The History of Athletes in Hamilton video will showcase. the many successes of the individuals and organizations that have been a part if Hamilton's distinguished track and field history.
Golden Age of Variety Show Attention: Mary Low Weir 75 McNab Street South Hamilton, ON L8P 3C1	\$7,680.00	\$7,680.00	A variety show featuring over 150 performers focusing on "Generations Uniting" three and four generation acts
Hamilton Children's Choir Attention: Marta Stiteler-Simon 2 Times Street North Hamilton, ON L8R 2L3	\$5,000.00	\$5,000.00	To celebrate 25 years by featuring an evening of original Canadian music and showcasing the talents of Canadian performers

The Central City Choir
209 McNab Street North
Hamilton ON L8R 2M5

\$4,000.00

\$4,000.00

An ongoing children's choir made up of children from the core city.
CD production.

Hamilton Conservatory for the Arts
Attention: Janice Hunt
126 James Street South
Hamilton, ON L8P 2Z4

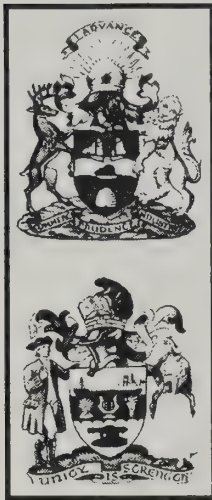
\$47,850.00

\$40,000.00

A secondary school co-op program assisting the Elementary Schools
through active involvement in demonstrations (12 lessons) in a four
arts. These demonstrations are built on the expectations from the
Ontario Curriculum for the Arts.

TOTAL

\$152,930.00



REPORT

CITY OF HAMILTON NOMINATING COMMITTEE

REPORT 01-00 TO CITY COUNCIL

**Tuesday, January 25, 2000
(immediately preceding the formal meeting
of City Council)
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

**YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY
RECOMMENDS:**

**1. Appointment of Members - Brownfield Development Task Force
Item 1**

That the following five (5) Members of City Council be appointed to serve on the Brownfield Development Task Force for a term to expire with the current term of Council:

Mayor R. M. Morrow
Alderman A. Horwath
Alderman C. Collins
Alderman B. Charters
Alderman T. Anderson

Respectfully submitted,

**Mayor R. M. Morrow, Chairman
Nominating Committee**

**J. J. Schatz, Secretary
January 25, 2000**

2004 2005 2006 2007
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**URBAN
MUNICIPAL**



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, February 8, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

FEB 18 2000

GOVERNMENT DOCUMENTS

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger, T.
Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D.
O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend L. J. Cowper, Central Presbyterian Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a cheque to Stella Woock and Irina Aoucheva for their organization – Inner City Ballet Hamilton.

Mayor R. M. Morrow acknowledged Robin Ozolins for winning the 1999 Canadian National Junior Prone Sporting Rifle Championship.

Mayor R. M. Morrow presented a Certificate of Recognition to Michael Serbinis – DocSpace Company Inc. for his technology in the security of computers.

Mayor R. M. Morrow presented a Certificate of Recognition to Tom Theos of the Old Magill House Restaurant.

ADOPTION OF MINUTES

The Minutes of the meeting held January 25, 2000 were adopted as circulated.

CORRESPONDENCE

1. Application dated February 3, 2000 from 1242334 Ontario Inc. 336 Shaver Road, R.R. #1, Jerseyville, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District modified for 330 and 342 Dundurn Street South, Hamilton, Ontario.

Received.

2. Mayor R. Morrow presented a Communique dated February 7, 2000 from FCM respecting "Homelessness, the Environment and Transportation Infrastructure as Top Priorities in Canadian Communities as presented to the Prime Minister by the Mayor's of Canada's Largest Cities as well as a newspaper article on the subject.

Received.

3. Mayor R. Morrow presented a newspaper article on Infrastructure.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 03-00**Section 1 Re: Speed Limits in a School Zone – Lake Avenue**

It was moved by Alderman Wilson and seconded by Alderman Collins that Section 1 of the Report 03-00 of the Transport and Environment Committee be amended by adding the words “on a trial basis until the Sub-Committee reports back” following the word enacted in Section “(a)”. **CARRIED.**

Rule No. 9 Re: Parking Regulations

It was moved by Alderman Collins and seconded by Alderman Caplan that Rule 9 of the City’s Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Parking Regulations on Barton Street West, between Magill Street and Greig Street, Hamilton. **CARRIED.**

Section 7 Re: Barton Street West, between Magill Street and Greig Street – Parking Regulations

It was moved by Alderman Collins and seconded by Alderman Caplan that the following be added as Section 7 of Report 03-00 of the Transport and Environment Committee:

7. Barton Street West, between Magill Street and Greig Street – Parking Regulations

- (a) That the existing full-time “No Parking” regulation on the north side of Barton Street West, between Magill Street and Greig Street, be removed; and,
- (b) That a full-time “No Parking” regulation be implemented on the north side of Barton Street, commencing at a point 60 feet east of Ray Street North and extending to a point 60 feet easterly therefrom; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly. **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 02-00**Section 1 Re: Walker Pool Redevelopment – Additional Project Inclusion
in 2000 Capital Budget**

It was moved by Alderman Anderson and seconded by Alderman Morelli that Section 1 of Report 02-00 of the Parks and Recreation Committee be referred back. **CARRIED.**

Section 6 Re: Hamilton Civic Golf Courses

It was moved by Alderman Jackson and seconded by Alderman Morelli that Section 6 of Report 02-00 of the Parks and Recreation Committee respecting the Hamilton Civic Golf Courses be amended by deleting the second sentence in the Note Section and replacing it with the following:

“Sub-Section (c) in the report of the Sub-Committee to Review Golf Course Recommendations dated January 25, 2000 was defeated on a 4-3 vote. Aldermen Kiss, Copps, Morelli and Jackson were recorded as opposed. The amended motion with Sub-Section (c) deleted, was adopted. Alderman Copps was recorded as opposed to the motion as amended.” **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 03-00**Section 1 (b) and (d) King Forest Golf Course****Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 03-00

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 03-00
--

Rule No. 9 Re: Accommodation Issues

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a motion respecting accommodation issues. **CARRIED.**

* * * * *

Section 5 Re: Accommodation Issues

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 5 of Report 03-00 of the Finance and Administration Committee:

5. Accommodation Issues (CM00004)

- a) That short-term accommodation needs be met by undertaking the following:
 - i) Utilize the Region's Court House, Eaton's Phase 2 space, Hamilton Hydro Building, and Wentworth Street Transit Centre;
 - ii) Terminate the lease at 25 Main St. W. – Social and Public Health Services Division functions to 35 King St. E. and Human Resources to the Court House;
 - iii) Not renew the lease at 110 King St. W., which expires on May 31, 2000, and relocate Finance and Corporate Services to the Court House;
- b) That relocations, as outlined on Appendix A, be financed through surpluses in operating budgets and corporate savings resulting from reduction in leasing costs and the remaining surplus be transferred to accommodation reserve;
- c) That existing furniture be reused where ever possible and renovations be minimized; and
- d) That the Director of Facilities Management report back to the finance and Administrative Services Committee on the final savings and costs, once all of the relocations have been completed."

Section 5 Accommodation Issues – Housing Department

Subsequently, it was moved by Alderman Charters and seconded by Alderman Anderson that Section 5 of Report 03-00 of the Finance and Administration Committee be amended by adding the following as Sub-Section (e):

- e) That any move of the Housing Division presently located at 25 Main Street West be tabled. **CARRIED.**

Recorded vote on Section 5 as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –17.

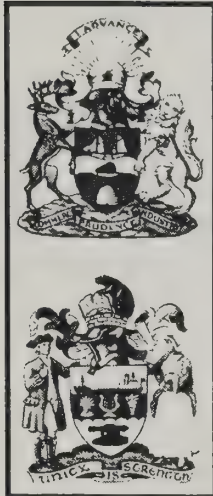
NAYS: -0. **CARRIED.**

Note: The meeting adjourned at 8:50 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

J. J. Schatz, Municipal Clerk
February 8, 2000
JJS/dg



REPORT

CITY OF HAMILTON Transport and Environment Committee

REPORT 03-00 TO CITY COUNCIL

Monday, January 31, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, F. D'Amico

Regrets: Mayor R. Morrow – City Business
Alderman T. Anderson – Regional Business

Alderman C. Collins, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. **Petition to Reduce the Speed Limit on Lake Avenue and Delawana Drive (PWT00029) (Item 4)**
 - (a) That the speed limit on Lake Avenue, from Barton Street East to Queenston Road, be reduced from 50 km/hr to 40 km/hr and that an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted on a trial basis until the Sub-Committee reports back; **AMENDED.**
 - (b) That a Sub-Committee composed of Aldermen C. Collins, D. Wilson, M. Kiss, T. Jackson and F. D'Amico, be established to work with staff, school parent/teacher councils and safety councils to identify school safety zones and review legislation and bring a report back to the Committee with recommendations.

2. 2000 Proposed Road and Sidewalk Capital Improvement Program (PWT00030) (Item 5)

That the Acting Commissioner of Public Works and Traffic and the General Manager of Transportation, Operations and Environment be authorized to undertake the works in the 2000 Road and Sidewalk Capital Improvement Programme, attached hereto as Schedule "A", at an estimated cost of \$5,635,000 on behalf of the City of Hamilton once all the necessary approvals have been received.

3. Request for Approval to Hire School Crossing Guards (PWT00028) (Item 6)

That Community Traffic and Parking Services be authorized to hire, on a temporary basis, School Crossing Guards as needed in order to ensure that all School Crossing Guard locations are attended and that the public safety is not jeopardized.

4. Routine Amendments to the City Traffic By-law 89-72 – January 31, 2000 (PWT00034) (Item 7.1)

That the requests for routine amendments, attached hereto as Appendix "B", be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

5. Neighbourhood Watch Program for the Stinson Neighbourhood (PWT00026) (Item 7.2)

- (a) That the Stinson Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Stinson Neighbourhood be erected and maintained by the Department of Public Works and traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to the Neighbourhood Watch Program, Account No. COHAM-55301-466010.

6. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-05 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (b) A-06 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

7. Barton Street West, between Magill Street and Greig Street – Parking Regulations

- (a) That the existing full-time “No Parking” regulation on the north side of Barton Street West, between Magill Street and Greig Street, be removed; and
- (b) That a full-time “No Parking” regulation be implemented on the north side of Barton Street, commencing at a point 60 feet east of Ray Street North and extending to a point 60 feet easterly therefrom; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.
ADDED.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - January 6 and 17, 2000 (Item 2)

That the Minutes of the meetings of the Transport and Environment Committee held on January 6 and 17, 2000, be adopted.

(c) Public Meetings

(i) Proposed Outdoor Boulevard Café – 56 Hess Street South, Hamilton (PWT00036) (Item 3.1)

That Report PWT00036 respecting the application of Berg Corp., operating as Doors Pub and Pizzeria at 56 Hess Street South, for a proposed extension to the outdoor boulevard café, be tabled to allow for the opportunity for staff and the Ward Aldermen to meet with the residents in an attempt to resolve concerns of the residents.

Noted for the information of the Committee respecting Item (c)(i)

Subsequent to hearing a presentation from staff, Mr. Bruce Bergland, owner of 56 Hess Street South, addressed the Committee in support of his application for an extension to the outdoor boulevard café.

The Committee received presentations from the following residents, expressing their strong opposition to the application:

- (a) Pamela Bragoli, 1606-222 Jackson Street West;
- (b) Jim Bell, 1401-222 Jackson Street West;
- (c) Ruth Chisholm, 606-222 Jackson Street West; and,
- (d) Lillian Wilson, 406-222 Jackson Street West.

The Committee also received a written submission from Edward and Diane Kantowski, expressing their opposition to the application.

(ii) **Proposed Outdoor Boulevard Cafe – 362 Barton Street East, Hamilton (PWT00016) (Item 3.2)**

That Report PWT00016 respecting the application of J. and L. Ferreira, owners of Beira Litoral Café at 362 Barton Street East, to operate an outdoor boulevard café, be tabled to allow for the opportunity for staff and the Ward Aldermen to meet with the residents, applicant and B.I.A. in an attempt to resolve concerns of the residents.

Noted for the information of the Committee respecting Item (c)(ii):

Following a staff overview, the Committee received a presentation from Thelma Gravis, 358 Barton Street East, expressing her opposition to the application for an outdoor boulevard café at 362 Barton Street East.

The Committee also received written submissions from the following residents, expressing opposition to the application:

- (a) Brenda Pickett, 246 Emerald Street North;
- (b) Hans Lieferink, 82 Oak Avenue;
- (c) Bill Powell, Executive Director, Hamilton Wentworth Creative Arts; and,
- (d) Virgilio and Mario Neto, 105 Oak Avenue.

(d) **Other Business**

Dumping of Bulk Refuse on City Streets (New Business – No Copy)

Staff was directed to bring a report back identifying areas in the City where illegal dumping of bulk refuse occurs and the cost recovery through enforcement.

(e) **Information Items (Item 7.3)**

That the following items, be received:

- (i) Parking for Services in Kind (PWT00025)
- (ii) Correspondence dated January 21, 2000 from Mr. P. Simmons respecting CP Rail Yard – Longwood Road and Aberdeen Avenue
- (iii) Correspondence dated January 25, 2000 from L. Pomerantz, Earth Day Hamilton Co-ordinator, respecting 2000 Reuse-a-rama event

Note: The meeting of the Transport and Environment Committee adjourned at 11:05 a.m.

Respectfully submitted

Alderman C. Collins, Chairman
Transport and Environment Committee

Carolyn Biggs
Legislative Assistant
January 31, 2000

Hamilton City Council

Minutes of February 8, 2000

CITY OF HAMILTON 2000 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work 1999 carry over	\$500,000
Duncombe Avenue	Seven Oaks	Holt	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work 1999 carry over	\$340,000
East 33 rd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work 1999 carry over	\$420,000
Edith Avenue	Broker	Nova	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work 1999 carry over	\$496,000
Ferndale Avenue	Dunkirk	Dundonald	-road reconstruction-sidewalk reconstruction-both sides – 1999 carry over	\$355,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work – 1999 carry over	\$576,000
Stewartdale	Greenhill	Montrose	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work - 1999 carry over	\$500,000
West 1 st Street	Fennell	Richwill	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer and watermain work – 1999 carry over	\$700,000

TOTAL A

\$3,887,000

B. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
King Street	Rosewood	Parkdale	-sidewalk reconstruction-both sides -in conjunction with Regional work	\$169,000
Gledhill Crescent	Galt	Brigadoon	-sidewalk reconstruction-both sides	\$173,000
		TOTAL B		\$342,000

C. Miscellaneous

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch basin and drain connections in conjunction with Regional sewer projects	\$ 10,000
Pavement Management System - annual update	\$ 40,000
Streetlighting - various locations	\$ 300,000
Hot-in-place asphalt recycling - various locations	\$1,000,000
Tree planting in conjunction with reconstruction projects	\$ 56,000
TOTAL C	\$1,406,000
GRAND TOTAL	\$5,635,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Delevan Crescent	Seven Oaks	Seven Oaks	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work 1999 carry over	\$235,000
Ferguson Avenue	King William	Wilson	-road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain work	\$513,000
Laurier Avenue	South Bend	South Bend	-road reconstruction-sidewalk reconstruction-both sides	\$649,000
Laurier Avenue	Columbia	South Bend	-road reconstruction-sidewalk reconstruction-both sides-in conjunction with Regional watermain work	\$373,000
Cloverdale	Montrose	Dunkirk	-sidewalk reconstruction-both sides	\$ 84,000
Crane Court	whole court		-sidewalk reconstruction-both sides	\$ 94,000
Goldfinch Road	Bobolink	Jay	-sidewalk reconstruction-both sides	\$136,000
Kings Forest Avenue	Broker	Fennell	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$469,000
Martha Street	Lewis	Oriole	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional watermain work	\$445,000
Blair Avenue	Melvin	Martha	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional watermain work	\$354,000
Strathcona Avenue	King	York	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional watermain work	\$525,000
Rosedene Avenue	Upper James	Belvidere	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$428,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Wycliffe Avenue	Searle	Belvidere	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$311,000
Searle Street	Rosedene	Wycliffe	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$ 70,000
Wildewood Avenue	Brentwood	Kingslea	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$252,000
Howard Avenue	South Bend	north end	-road reconstruction-sidewalk reconstruction -both sides	<u>\$249,000</u>
		TOTAL D		\$5,187,000

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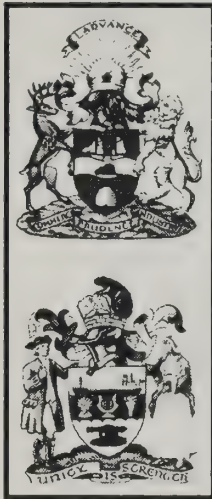
Appendix "B" as referred to in
Section 4 of Report 03-00 of the
Transport and Environment Committee

Ward 2

- (a) Staff has received a petition requesting that the existing full-time "One Hour Parking Time Limit" regulation on the south side of Forest between Wellington and Aurora be removed to allow unrestricted parking. The petition has been signed by representatives of eight of the eleven properties abutting the block, all of whom support the requested amendment.

Ward 3

- (a) Mr. Ogxton, 129 Afton Avenue, has requested that the reserved "Permit Parking" regulation on the north side of Afton in front of his home be removed, as his wife has passed away.
- (b) Mr. Joe Suter, 61 Niagara Street, has requested that a "No Stopping" driveway clearance be implemented on the west side of Niagara in the area of his business' driveway to facilitate turning movements of trucks accessing the auto yard.
- (c) Mr. Stanley Kruchka, 151 Avondale Street, has requested the implementation of a reserved "Permit Parking" regulation on both sides of Avondale, since he is disabled. Presently, there is an "Alternate Side Parking" regulation on Avondale. Mr. & Mrs. MacKinnon, 152 Avondale Street, have advised that they support the request.
- (d) Mr. Don Bilodeau, 17½ Primrose Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Primrose in front of his home, since he is disabled.
- (e) Ms. Mary Caissie, 14 Arthur Avenue North, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Arthur in front of her home, since she is disabled.



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

REPORT 02-00 TO CITY COUNCIL

Monday, January 31, 2000

1:15 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman B. Morelli (Chairperson), Alderman M. Kiss (Vice-Chairperson), Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson, D. O'Sullivan
Regrets:	Mayor R. M. Morrow (Civic Business) Alderman T. Anderson (Regional Business)
Also Present:	R. Fair, K. Duncliffe, G. Makins, W. Plessl, C. Guthro, L. Bourns, P. Barkwell, H. Kayal, A. Holmes, T. Agnello
Alderman B. Morelli, Chairperson, called the meeting to order.	

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. **Walker Pool Redevelopment - Additional Project Inclusion in 2000 Capital Budget (CSC00008) (Item 4)**
 - (a) That City Council approve the addition of the capital project "Walker Pool Redevelopment" to its previously approved 2000 Capital Budget program; and,
 - (b) That, if additional approvals are required, the project be referred to the Transition Board for consideration since it was not included in the approved 2000 Budget for capital projects; and,
 - (c) That the General Manager of Finance, upon receipt of required approvals, be authorized and directed to include the Walker Pool Redevelopment Project in the 2000 Capital Budget at a budgeted cost of \$477,250; and,

- (d) That staff be authorized to fast track hiring a consultant and commence the preparation of contract documents and tendering to complete the project during 2000; and,
- (e) That the Finance and Administration Committee be requested to identify the source of funding. **REFERRED BACK.**

Noted for the information of City Council respecting Item 1:

A discussion ensued regarding other options which may have been considered regarding the outdoor pool. In response to a question, the General Manager, Community Services Division, advised that the project will be rescaled according to the amount of money available.

2. **Federation of Canadian Municipalities - Quality of Life Infrastructure Program Request for Municipal Support (CSC00007) (Item 5)**

- (a) That where initiatives support the municipality's long term Culture and Recreation Master Plan, Hamilton City Council support the inclusion of capital programs to renovate aged and core recreation facilities and to preserve heritage in the terms of reference for any future Federal Municipal Infrastructure Programs; and,
- (b) That His Worship, Mayor R. M. Morrow, be requested to express Council's support for Federal Municipal Infrastructure Program, inclusive of core recreation facilities renovations and heritage preservation, to the Prime Minister, the Right Honourable Jean Chretien; the Minister of Finance, the Honourable Paul Martin; the Minister of Canadian Heritage, the Honourable Sheila Copps; area Members of Parliament; and, the Federation of Canadian Municipalities.

3. **Award of Contract for the Construction of a Sun Shelter and Deck at the Waterfront Trail (PWT00031) (Item 6)**

- (a) That approval be given to issue a purchase order to TRP Construction, Burlington, in the amount of \$215,160 including \$20,000 contingency, plus \$13,661.20 G.S.T. for the construction of a sun shelter and deck at the Waterfront Trail, being the lowest of nine (9) tenders received in accordance with specifications C11-6499 issued by the Purchasing Division and vendors tender; and,

- (b) That the amount of \$228,821.20 for the construction of a sun shelter and deck be funded from the 2000 Hamilton Harbour Waterfront Trail Account COHAM 400043001; and,
 - (c) That the Director of Legal Services and Corporate Counsel be requested to prepare a contract, and the Mayor and Municipal Clerk be authorized to execute the contract in a form satisfactory to Corporate Counsel.
- 4. **Award of Contract for the Supply of Light Fixtures and Poles for the Waterfront Trail (PWT00033) (Item 7)**
 - (a) That approval be given to issue a purchase order to Wesco Distribution Inc., Hamilton, in the amount of \$329,349.34 including \$25,000 contingency, P.S.T. and G.S.T. for the supply of light fixtures and poles for the Waterfront Trail, being the lowest of nine (9) tenders received in accordance with specifications C11-6299 issued by the Purchasing Division and the vendors tender; and,
 - (b) That the amount of \$329,349.34 for the supply of light fixtures and poles be funded from the 2000 Hamilton Harbour Waterfront Trail Account COHAM 400043001; and,
 - (c) That the Director of Legal Services and Corporate Counsel be requested to prepare a contract, and the Mayor and Municipal Clerk be authorized to execute the contract in a form satisfactory to Corporate Counsel.
- 5. **Festivals and Events Ontario Conference 2000 Education Forum - Sponsorship of Conference (CSC00005) (Item 9)**
 - (a) That a contribution in the amount of \$5,000 to Festivals and Events Ontario be authorized to assist in the presentation of their 2000 Educational Forum to be held in Hamilton from March 9–12, 2000 at the Hamilton Convention Centre; and,
 - (b) That the Finance and Administration Committee recommend a method of financing.

6. **Hamilton Civic Golf Courses - 2000/2001 Operating Season Recommendations (Item 10)**

- (a) That Council affirm that the Hamilton Civic Golf Courses must operate free of tax subsidy, inclusive of annual operating costs, all capital costs and an assigned corporate overhead; and,
- (b) That the Director of Culture and Recreation be authorized and directed to negotiate a final one year extension to contracts with the existing Concessionaires and Golf Pro Manager at the Hamilton Civic Golf Courses expiring on December 1, 2000 in a form satisfactory to Corporate Counsel; and,
- (c) That full implementation of a seven day advance booking system at both Chedoke and Kings Forest Civic Golf Courses for adult member and green play only be authorized for the 2000 season; and,
- (d) That implementation of a 50/50 ratio of member to green fee booking times for weekend tee-offs be authorized for Chedoke and Kings Forest Civic Golf Courses; and,
- (e) That the number of junior memberships be capped at 1999 levels and that the Department of Culture and Recreation be encouraged to develop and operate a Summer Golf Camp in conjunction with the Golf Pro Managers; and,
- (f) That implementation of a twice monthly (one Saturday and one Sunday, on different weekends) member only shotgun tee-off system before 11:00 a.m. be authorized at Hamilton Civic Golf Courses for the 2000 season only, subject to review at year end; and,
- (g) That Hamilton Civic Golf Course fees, as outlined in Appendix "A" attached hereto, be approved for the 2000 season; and,
- (h) That the Director of Culture and Recreation be authorized and directed to proceed with the following actions for the 2001 golf season for Municipal Golf Courses as stipulated in the report of the General Manager of Community Services dated October 19, 1999:
 - (i) The contracting of a single Golf Pro Manager to provide specific services; and,
 - (ii) The tendering of the food and beverage function at Chedoke and Kings Forest Golf Course; and,

- (iii) The development of a Five-Year Business Plan for presentation to the Parks and Recreation Committee.

Noted for the information of City Council respecting Item 6:

The Committee adjourned into closed session to discuss matters of a personnel nature and reconvened immediately thereafter.

The Committee resolved that the recommendation, save and except subsection (c) be approved. Sub-Section (c) in the report of the Sub-Committee to Review Golf Course Recommendations dated January 25, 2000 was defeated on a 4-3 vote. Aldermen Kiss, Copps, Morelli and Jackson were recorded as opposed. The amended motion with Sub-Section (c) deleted, was adopted. Alderman Copps was recorded as opposed to the motion as amended. **AMENDED.**

A motion to add a further subsection was placed on the floor and defeated as follows:

"That a Staff bid be included in the proposal".

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - January 25, 2000 (Item 2)

That the Minutes of the meeting of the Parks and Recreation Committee held January 25, 2000 be adopted.

(c) PRESENTATIONS (Item 3)

Culture and Recreation Department - Staff Commendations

The following Staff of the Culture and Recreation Department were recognized and commended for their lifesaving rescues:

Roadside Lifesaving Rescue	-	Cathy Nametka
Lifesaving Rescue at Hill Park	-	Leanne Bates
	-	Sue Hamilton
	-	Tania Kras-Smye

Aquatic Rescue at Westmount	-	Rita Aker
	-	Cecile Santos
	-	Sylvia Fawcett
	-	Phillip Charles
	-	Laura Cooper

(d) **Request for Authority to meet with Private Sector Proponents Interested in Constructing an Indoor Soccer Facility on City-owned lands (CSC00006) (Item 8)**

- (a) That the Director of Culture and Recreation and the Commissioner of Public Works and Traffic be authorized to meet with private sector proponents interested in constructing an indoor soccer facility on city-owned lands; and,
- (b) That Staff be directed to report back to the Parks and Recreation Committee with details relative to this initiative by April, 2000.

Noted for the information of City Council respecting Item (d):

Alderman Copps wished to be recorded as opposed.

(e) **Other Business (Item 11)**

Special Meeting of the Parks and Recreation Committee - February 8, 2000

The Committee agreed that a Special Meeting of the Parks and Recreation Committee would be held on Tuesday, February 8, 2000 at 6:00 p.m. prior to City Council, to deal with Staff reports respecting King's Forest Golf Course and the Red Hill Creek Expressway.

Note: The meeting of the Parks and Recreation Committee adjourned at 2:45 p.m.

Respectfully submitted,

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Tina Agnello, Legislative Assistant
January 31, 2000**

Appendix "A" as referred to
in Section 6(g) of Report 02-00
of the Parks and Recreation Committee

HAMILTON CIVIC GOLF COURSES - 2000 PROPOSED RATES AND FEE
A. SEASONAL RATES:

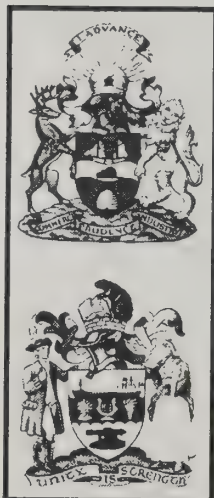
CATEGORY Rates include GST	CHEDOKE BOTH		CHEDOKE MARTINI		CHEDOKE BEDDOE		KINGS FOREST		ALL COURSE	
	1999	2000	1999	2000	1999	2000	1999	2000	1999	2000
ADULT	\$1,102	\$1,152	\$677	\$730	\$945	\$995	\$1,102	\$1,150	\$1,265	\$1,315
ADULT NON-RESIDENT	\$1,265	\$1,315	\$820	\$870	\$1,100	\$1,150	\$1,265	\$1,315	\$1,500	\$1,550
COUPLES	\$2,100	\$2,150	\$1,250	\$1,300	\$1,785	\$1,835	\$2,100	\$2,150	\$2,310	\$2,360
COUPLES-NON-RESIDENT	\$2,310	\$2,360	\$1,420	\$1,470	\$1,980	\$2,030	\$2,310	\$2,360	\$2,760	\$2,810
FAMILY	\$2,257	\$2,307	\$1,407	\$1,457	\$1,995	\$2,045	\$2,205	\$2,250	\$2,695	\$2,745
FAMILY-NON-RESIDENT	\$2,475	\$2,525	\$1,585	\$1,635	\$2,200	\$2,250	\$2,420	\$2,470	\$3,080	\$3,110
JUNIOR	\$300	\$350	\$200	\$250	N/A	N/A	\$300	\$350	\$385	\$435
JUNIOR - NON-RESIDENT	\$385	\$435	\$275	\$325	N/A	N/A	\$385	\$435	\$540	\$590
INTERMEDIATE	\$662	\$790	\$420	\$485	\$567	\$685	\$662	\$790	\$759	\$895
INTERMEDIATE-NON-RESIDENT	\$803	\$970	\$550	\$635	\$705	\$850	\$805	\$970	\$948	\$1,135
PENSIONER (weekend)	\$740	\$790	\$435	\$485	\$635	\$685	\$740	\$790	\$845	\$895
PENSIONER-NON-RESIDENT	\$918	\$970	\$583	\$635	\$803	\$850	\$918	\$970	\$1,086	\$1,135
WEEKDAY	\$772	\$822	\$452	\$500	\$662	\$710	\$772	\$820	\$885	\$935
WEEKDAY - NON-RESIDENT	\$918	\$970	\$583	\$630	\$803	\$850	\$918	\$970	\$1,086	\$1,135
B. GREEN FEES										
WEEKDAY 18 HOLES	N/A	N/A	\$28	\$29	\$32	\$33	\$35	\$37	N/A	N/A
WEEKEND 18 HOLES (Fri, Sat, Sun & Stat. Hol.)	N/A	N/A	\$30	\$31	\$35	\$37	\$40	\$42	N/A	N/A
PENSIONER/JUNIOR*	N/A	N/A	\$21	\$22	\$25	\$26	\$28	\$29	N/A	N/A
TWILIGHT - 18 HOLES	N/A	N/A	\$19	\$20	\$23	\$24	\$25	\$26	N/A	N/A
SEASONAL RATES: PLAN "B"										
Hamilton Residents-City Wide Non-Residents-City Wide	ADULT		COUPLE		FAMILY		JUNIOR		INTERMEDIATE	
	1999	2000	1999	2000	1999	2000	1999	2000	1999	2000
	\$368	\$420	\$683	\$730	\$1,103	\$1,150	\$105	\$200	\$210	\$260
	\$495	\$545	\$825	\$875	\$1,265	\$1,315	\$220	\$300	\$330	\$380
PLAN "B" NOTES:										
- pay a reduced initial seasonal fee plus an outing fee each time you play. - 7 or 5 day (5 day pass restricted from weekends & holidays). - full seasonal privileges. - ideal for the once a week player - outing fee (50% green fees) dependent on course and time of play.										
									PENSIONER	WEEKDAY
									1999	2000
									\$263	\$310
									\$385	\$435
									\$385	\$435

SEASONAL NOTES:

- 5 day/Pensioner-Mon-Fri excluding weekends & holidays
- Intermediate Age: 20 years & under
- Junior Age: 17 years & under
- Junior members are subject to the following restricted playing times at all courses: Mon-Fri 10am-closing & Sat, Sun & holidays, 12pm to closing
- family rate criteria is: two adults in a family relationship & dependents 20 & under of the same family.
- All seasonal passes include OGA/CLGA handicap/membership cards - Game fee \$20 Extra

GREEN FEE NOTES:

- *Monday-Friday only (excluding holidays)
- Twilight hours both weekdays & weekends after 4:00 p.m. (twilight hrs. move ahead towards later part of the season).



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

REPORT 03-00 TO CITY COUNCIL

Tuesday, February 8, 2000

6:00 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman B. Morelli (Chairperson)
Alderman M. Kiss (Vice-Chairperson)
Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson,
D. O'Sullivan

Regrets: Mayor R. M. Morrow
Alderman T. Anderson

Also Present: Alderman F. D'Amico
R. Fair, K. Duncliffe, B. Moffatt, H. Kayal, C. Murray,
B. Price, C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. **King's Forest Golf Course - Red Hill Creek Remediation (CSC00021)**
(Item 2)
 - (a) That authorization and direction be granted to the Director of Culture and Recreation to approach the Department of Fisheries and Oceans to allow a temporary remedial plan to be implemented at King's Forest Golf Course, whereby a temporary bridge and reduced excavation would take place at an estimated cost of \$155,000; and, upon approval of such plan, Staff be authorized to take the necessary steps to contract for such bridge and excavation on the authority and approval of the City Manager and the General Manager of Community Services; and,

- (b) That, in the event that the Department of Fisheries and Oceans does not allow the Director of Culture and Recreation to proceed with a reduced scope, that approval be granted to contract the firm of Phillips Engineering Ltd. to design, produce specifications, tender and supervise the remediation of the revetment banking and bridge work of the Red Hill Creek as it passes through King's Forest Golf Course at an estimated cost of \$20,000 for design, supervision and tendering, and an additional cost of an estimated \$240,000 for construction and associated works; and,
- (c) That the Finance and Administration Committee be requested to identify a source of funding for the required works; and,
- (d) That the Mayor be requested to send a letter to the Canadian Environmental Assessment Agency, with a copy to the Department of Fisheries and Oceans, requesting a full explanation as to why it would not support a sustainable long-term creek remediation solution for the King's Forest Golf Course in keeping with its mandate.

Recorded vote on Sub-section (b) and (d)

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

Noted for the information of City Council respecting Item 1:

The Committee amended the Staff recommendation to include subsection (d).

Alderman Copps wished to be recorded as opposed to subsections (b) and (d).

2. **Bennetto Recreation Centre - Renovation and Expansion Project Construction Contract Award (Item 3)**

That, whereas both bids received for the original tender call for Bennetto Recreation Centre renovations were significantly over budget, Staff be authorized to revise the scope of work and retender the project.

Noted for the information of City Council respecting Item 2:

Alderman Copps wished to be recorded as opposed.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

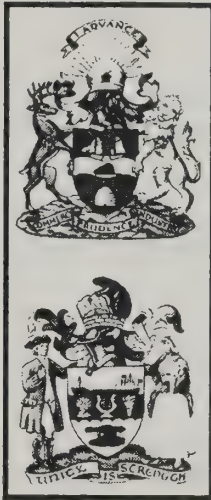
None declared.

Note: The meeting of the Parks and Recreation Committee adjourned at 6:30 p.m.

Respectfully submitted,

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
February 8, 2000**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

REPORT 03-00 TO CITY COUNCIL

Wednesday, February 2, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Regrets: Mayor R. M. Morrow (Civic Business)

Also Present: Alderman Horwath, Alderman B. Morelli, L. Coveyduck, G. Paparella, P. Mason, J. Hickey-Evans, A. Zuidema, T. Redfern, M. Mascarenhas, H. Kayal, R. Fair, K. Duncliffe, E. Switinky, E. Chajka, R. Foulds, C. Bian T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. **Authorization for Staff Attendance, OMB Hearing - 66 Mall Rd. (PDC00018)**

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:216, respecting property located at No. 66 Mall Road, as shown on attached map marked as APPENDIX "A".

2. Removal of the Holding Zone for lands at 723 Rymal Rd. W. (PDC00024)

- (a) That approval be given to Zoning Application ZAR-99-37, Jomar Developments Corporation Inc., owner, for the removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to allow for the development of the subject lands for a "Community Care Access Centre" for lands located south of Rymal Road West, east of Glancaster Road and known municipally as 723 Rymal Road West, as shown on the attached map marked as APPENDIX "B"; and,
- (b) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council.

3. Special Legislation- Protection of Rental Housing Stock (PDC00020)

- (a) That the staff of the Community Planning and Development Division and the Legal Services Department be directed to request Special Legislation to protect the supply of rental housing stock in the City of Hamilton.
- (b) That the Municipal Clerk be requested to forward Council's resolution to the City of Toronto and the Region of Ottawa Carleton

For the information of City Council respecting Item 3:

The Committee adjourned into closed session to discuss matters of potential litigation and reconvened immediately thereafter with the abovenoted report.

Alderman Copps and Alderman Charters were recorded as opposed.

Prior to that, a motion was placed on the floor to deny the recommendation and was defeated.

4. West 5th Area Stormwater / Infrastructure Study (PDC00027)

- (a) That, pursuant to the request of the Community Services Division, Council direct the Community Planning and Development Division to initiate a Stormwater/Infrastructure Study for the West 5th Area in accordance with the planning process established in the "Class

Environmental Assessment for Municipal Water and Wastewater Projects".

- (b) That the General Manager, Community Planning and Development be authorized to engage consultants to provide project management, studies and reports to an upset limit of \$175,000.00
- (c) That the General Manager, Finance, be directed to identify a source of funding for this study and establish the appropriate accounts.

For the Information of City Council respecting item 4:

A discussion ensued regarding the fact that this project was not included in the Capital Budget deliberations.

A motion was placed before the Committee to table the matter pending completion of negotiations regarding the recreational Proposal for William Connell Park and was defeated.

Alderman Copps was opposed to the main motion.

5. American Planning Association Conference, April 15-19, 2000

- (a) That the Chairman or his designate and 2 other members of the Planning and Development Committee be authorized to attend the APA Conference in New York, April 15-19, 2000: and
- (b) That cost for attendance is allocated to Alderman's Travel Account No. COHAM 56325 300120.

For the Information of City Council respecting item 5:

This item was introduced verbally as an added item in order to meet the Conference registration deadline and not incur additional costs.

6. Bills:

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) C-02 A By-law to Amend By-law No. 6593 As Amended by Bylaws No. 73-115 and 81-28 Respecting Lands Located at Municipal Nos. 24 and 30 Hess Street South.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

**(b) Adoption of Minutes - January 12, 2000 (Item 2.1)
 - January 19, 2000 (Item 2.2)**

The Minutes of the meetings held January 12, 20 and January 19, 2000 were adopted.

(c) Change in Zoning for 334 East 14th Street (PDC00019)(item 3.2)

Following brief discussion the Committee deferred the matter to in camera discussion and reconvened with the following report:

That the item be tabled pending the outcome of the OMB hearing.

(d) Additions to inventory- Buildings of Architectural/Historical Significance: 195 & 197-199 King William Street (PDC00010) (Item 3.4)

That the adjoining commercial properties at 195 and 197-199 King William Street be added to the City's Inventory of Buildings of Architectural and/or Historical interest.

(e) Appointment to Historical Board (Item 3.5)

That Mr. Brian Henley be appointed as the LACAC's representative on the Historical Advisory Board.

(f) Information Items (Item 3.6)

That the following Information Items as previously distributed to Members of the Planning and Development Committee be received:

- (i) Acting Commissioner, Public Works and Traffic re: Downtown Hamilton BIA, Revised Board of Management, dated January 12, 2000
- (ii) General Manager, Community Planning and Development Division re: 195 Ferguson Avenue North, Implementation of Wesley OMB Decision- 6th Report, dated January 25, 2000

(g) **Referral From Council** (Item 4)

Correspondence from the Committee of the Whole re: BIA Capital Improvements was tabled.

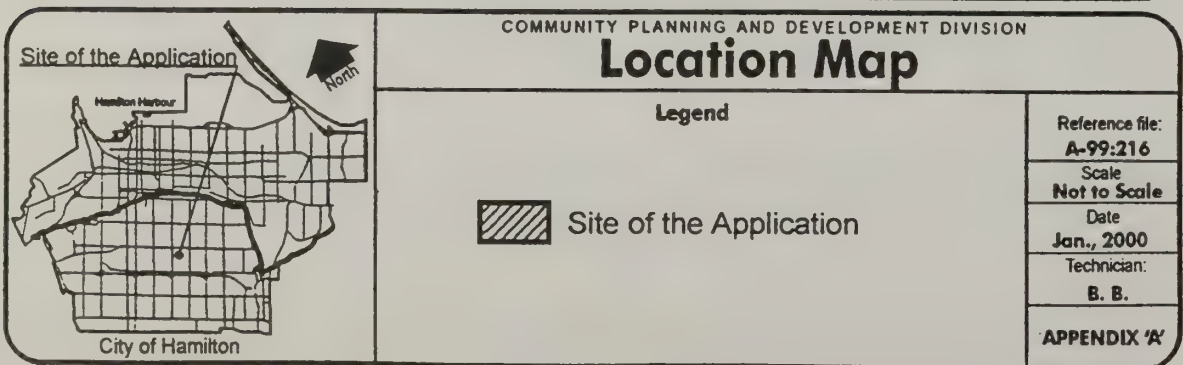
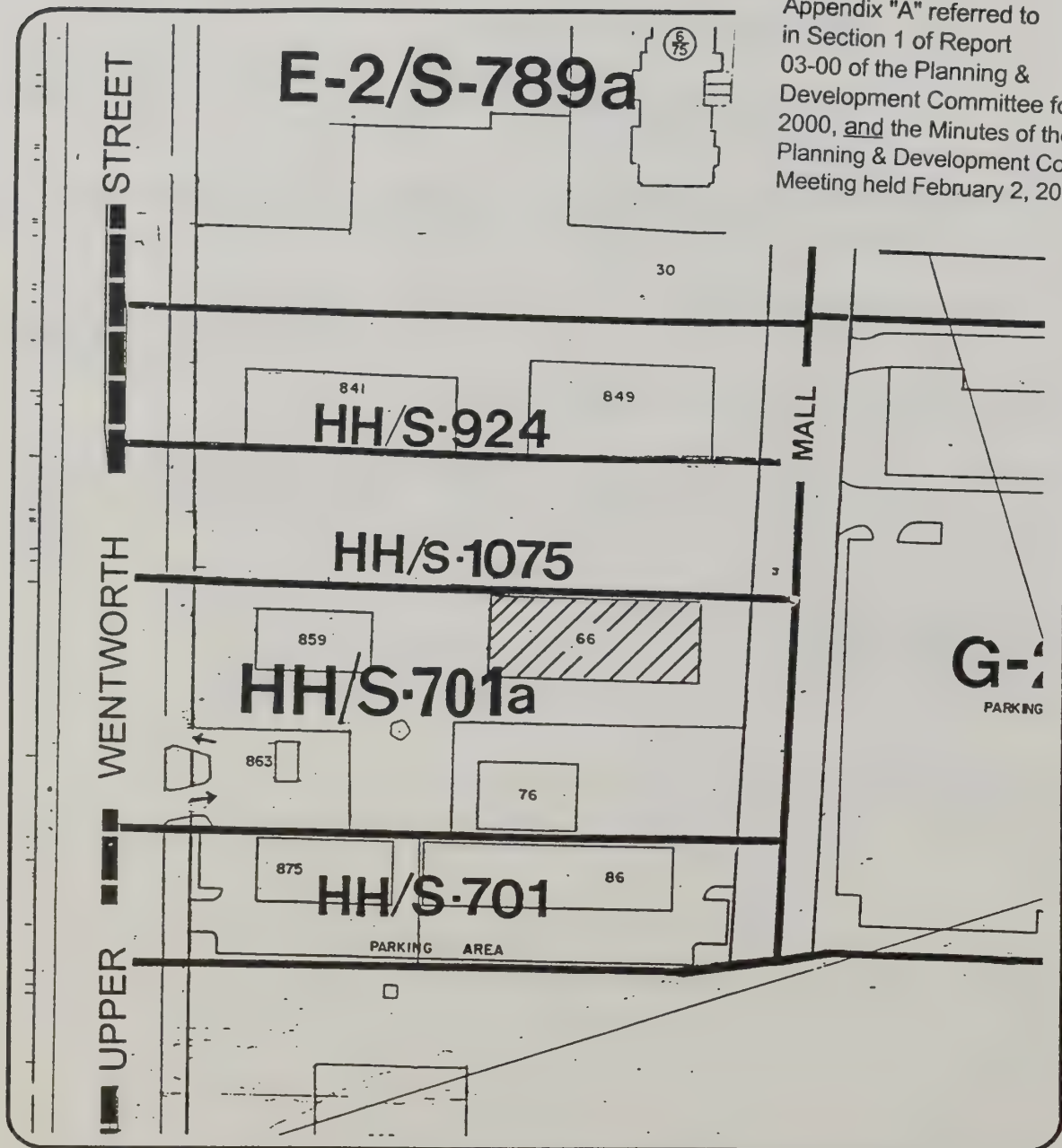
Note: The meeting of the Planning and Development Committee adjourned at 10:40 a.m.

Respectfully submitted,

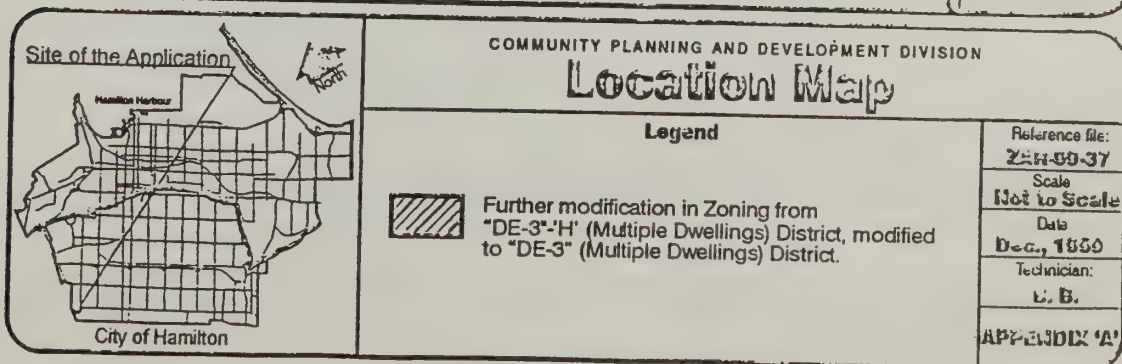
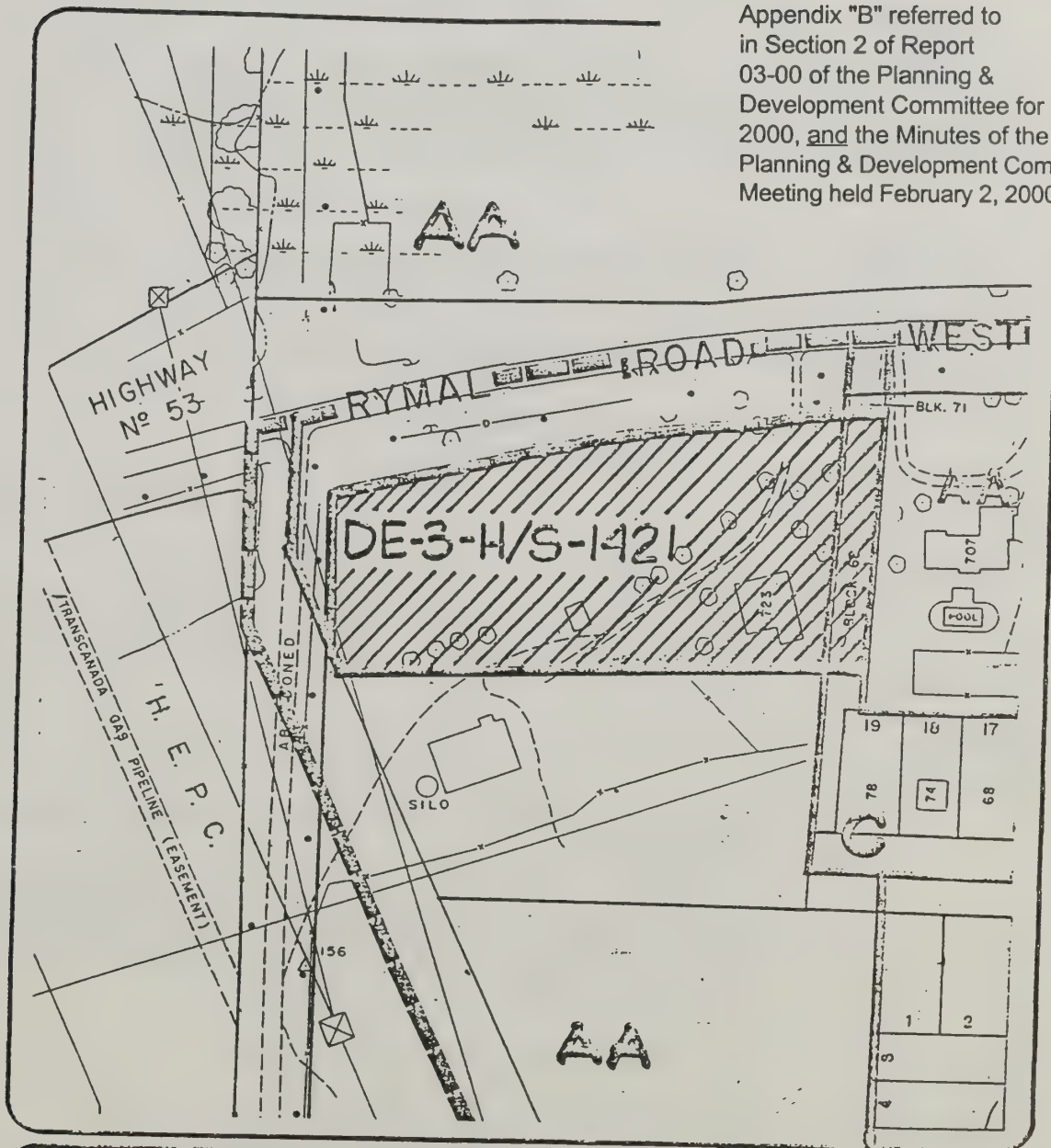
**Alderman F. D'Amico, Chairperson
Planning and Development
Committee**

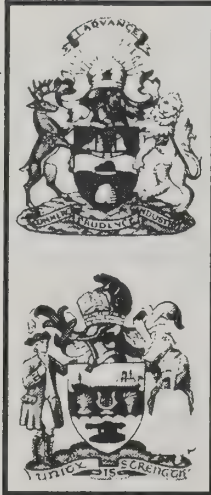
**Tina Agnello, Legislative Assistant
February 2, 2000**

Appendix "A" referred to in Section 1 of Report 03-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held February 2, 2000.



Appendix "B" referred to in Section 2 of Report 03-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held February 2, 2000.





REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Report 03-00 TO CITY COUNCIL

Tuesday, February 1, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice- Chairman), Aldermen M. Caplan, A. Horwath, D.Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow - City business Region Finance and Administrative Services Committee Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, M. Caplan
Regrets:	Councillor A. Sloat - personal business
Also present:	Councillors D. Mitchell, R. Corsini D. Lychak, G. Paparella, L. Coveyduck, R. Fair, B. Desnoyers, Fire Chief G. Peace, J. Bruzzese, A. Ross, J. Spiler, L. Bourns, Susan K. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

**YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY
RECOMMENDS:**

1. City Development Charges - Public Meeting regarding By-law Amendments (FIN00007)(Item 12)

- (a) That a Public Meeting be held in accordance with the Development Charges Act to hear representations regarding the following proposed amendments to the City of Hamilton's Development Charges By-law 99-118, such amendment to come into force as of August 11, 1999:
 - (i) That the scope of the by-law described in section two of the By-law be revised by including the "downtown area" bounded by Queen Street, Cannon Street, Victoria Avenue and Hunter Street, such that the By-law shall apply to this previously exempted area of the City;
 - (ii) That development within the said "downtown area" shall be exempt from all residential and non-residential development charges, subject to the following rate which shall apply to such "downtown area"; a new residential rate classification "Residential Facilities" containing two or more units for residential accommodation, which units do not have self contained kitchens and are with or without self contained bathrooms, shall be charged a rate to be calculated at the rate of 30 cents per square foot. Such classification shall not include Single/Semi Buildings, Multiples and Apartments as defined in the By-law, as well as hospitals, tourist homes, hotels and motels;
 - (iii) That development charges for residential development be exempted in the area of the City bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour; save and except for the Residential Facilities rate authorized in the preceding provision, which rate shall apply to the said "downtown area" which is bounded by Queen Street, Cannon Street, Victoria Avenue and Hunter Street;
 - (iv) That non-profit housing developments carried out by a "non-profit housing organization" as defined below, where capital costs are not in part or whole funded by senior levels of government, be exempted from Development Charges.

A "non-profit housing organization" is a company incorporated as a not-for-profit housing corporation or as a non-profit housing co-operative or municipal non-profit housing corporation under federal or provincial legislation, which has as its main "object" clause, the following: to

provide and operate housing accommodation and incidental facilities primarily for persons of low and moderate income. The Letters Patent/Articles of Incorporation of such company shall also provide that "The corporation's activities shall be carried on without the purpose of gain for its members and any profit or accretion to the Corporation shall be used in promoting its objects".

- (v) That the following additional classification be added to the classes of development exempted from all Development Charges:

"universities recognized by the Province in the University Expropriation Powers Act RSO 1990 chap U.3"

- (b) That staff be authorized and directed to advertise a Development Charges Public Meeting of the Finance and Administration Committee to be held on Tuesday, March 7, 2000 at 11:00 a.m.

2. Conversion of six (6) Pumpers to Rescue Pumpers with foam capabilities (CSC00008)(Item 13)

- (a) That, in accordance with the Hamilton Fire Department Business Plan and as a result of a tender process conducted as per the City Purchasing Policy, a purchase order in an amount not to exceed \$311,620.23 including all applicable taxes be issued to Dependable Emergency Vehicles, Brampton, Ontario, the low acceptable bidder, for the conversion of six (6) pumpers to rescue pumpers with foam capabilities; and,
- (b) That this expenditure be financed from Capital Account COHAM58550-489651026; and,
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor.

3. Purchase of Two (2) Multi-Tasking 100' Prepiped Aerial Ladder Pumper Trucks (CSC00009)(Item 14)

- (a) That, in accordance with the Hamilton Fire Department Business Plan, the approved 2000 Capital Plan and as a result of tender process conducted in accordance with City Purchasing Policy, a purchase order be issued to the lowest acceptable bidder, Smeal Fire Apparatus Co., Nebraska U.S.A. for the purchase of Two (2) Multi-Tasking 100' Prepiped Aerial Ladder Pumper Trucks in an

amount not to exceed \$1,662,135.92 (Cdn. Funds) inclusive of all applicable taxes, PST exempt; and

- (b) That this purchase be charged to the following accounts - Capital Account COHAM58550-489851036; the Motorized Vehicle Reserve (0101); and the Vehicle and Equipment Repairs and Replacement Reserve (0103); and
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary contract for this purchase in a form satisfactory to the Municipal Solicitor; and
- (d) That City Council approve the adoption of the internationally recognized colour of red for Hamilton Fire Department apparatus with implementation to occur when vehicles are refurbished and when vehicles are replaced.

4. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-04 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

5. Accommodation Issues (CM00004)

- a) That short-term accommodation needs be met by undertaking the following:
 - i) Utilize the Region's Court House, Eaton's Phase 2 space, Hamilton Hydro Building, and Wentworth Street Transit Centre;
 - iii) Terminate the lease at 25 Main St. W. – Social and Public Health Services Division functions to 35 King St. E. and Human Resources to the Court House;
 - iii) Not renew the lease at 110 King St. W., which expires on May 31, 2000, and relocate Finance and Corporate Services to the Court House;
- b) That relocations, as outlined on Appendix A, be financed through surpluses in operating budgets and corporate savings resulting from reduction in leasing costs and the remaining surplus be transferred to accommodation reserve;

- c) That existing furniture be reused where ever possible and renovations be minimized; and
- d) That the Director of Facilities Management report back to the Finance and Administrative Services Committee on the final savings and costs, once all of the relocations have been completed.
- e) That any move of the Housing Division presently located at 25 Main Street West be tabled. **ADDED AND AMENDED.**

Recorded vote on section 5 as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Review of the Mandate and Operations of the Hamilton Downtown Partnership (Item 6)(Item 6.1)

Alderman A. Horwath, on behalf of the Executive of the Hamilton Downtown Partnership, spoke to the Committee and advised that the Partnership is undergoing its own analysis of its role and direction and that discussions are taking place with all parties. The Committee agreed that this Item be placed back on the Agenda of the Joint Meeting Session no later than the end of May 2000 with a report back from the Hamilton Downtown Partnership on the Outcome of the Analysis.

(c) Adoption of Minutes- Joint Meeting Session - January 18, 2000 (Item 7)

That the minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on January 18, 2000 be adopted.

(d) **Information Items (Item 8)**

That the following items previously distributed under separate cover, be received:

Joint Committees

- (a) Information Report - General Manager, Human Resources – Holiday Closure - 2000 (C00100/HUR00001)

City Finance and Administration Committee

- (b) Information Report - General Manager, Community Services – Hamilton Fire Station No. 8 - Renovations and Expansion Construction Contract Award (CSC00003)
- (c) Information Report - General Manager, Finance - Tax Billing and Collection System (FIN00010)

(e) **Minutes of the Special Meeting of the Finance and Administration Committee held on Tuesday, January 25, 2000 (Item 11)**

That the minutes of the Special Meeting of the Finance and Administration Committee meeting held on Tuesday, January 25, 2000 be adopted.

(f) **Lakeland Pool 1997 Deficit**

The Committee agreed to receive and take no action with respect to the requested Information Report of the General Manager, Finance (FIN00011) respecting the Lakeland Pool Outstanding 1997 deficit.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:45 a.m.

Respectfully submitted,

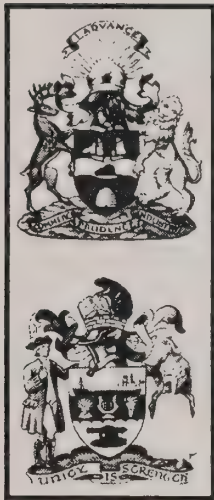
**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
February 1, 2000**

Appendix A as referred to in
Section 5 of Report 03-00 of the
Finance and Administration Comm.

Proposed Move Schedule:

Move To	Current Location	Division/Department	Approx. # of People	When	
330 Wentworth St N	35 King E, 4th Floor	TO&E - Waste Mgt	18	11-Apr	
35 King E, 3rd Floor	25 Main W, 4th Floor	SPHS - Health	40	21-Apr	
35 King E, 4th Floor	Eatons (II)	SPHS - Health	70	28-Apr	
35 King St E	25 Main W, 15th Floor	SPHS - Housing	6	25-Apr	Tabled
35 King St E	Dundas	SPHS - Health	10	04-May	
55 John St N	35 King E, 4th Floor	TO&E - F&A	18	07-Apr	
55 John St N	35 King E, 4th Floor	Finance - Metered Water	16	07-Apr	
55 John St N	35 King E, 3rd Floor	TO&E - Utilities	12	07-Apr	
City Hall, 2nd Floor	City Hall, 5th Floor	CP - Culture & Rec	1	30-Mar	
City Hall, 4th Floor	City Hall, various	CP - Culture & Rec	5	09-Jun	
City Hall, 5th Floor	35 King E, 4th Floor	P&D - GM, F&A	9	10-Apr	
City Hall, 5th Floor	35 King E, 3rd Floor	P&D - Planning	9	10-Apr	
City Hall, 5th Floor	City Hall, 6th Floor	P&D - Subdivisions	10	21-Apr	
City Hall, 6th Floor	City Hall, 5th Floor	CS - Communications	7	30-Mar	
Court House	City Hall, Bsmt	CS - Facilities Mgt	10	09-Jun	
Court House, 1st Floor	110 King W, 3rd Floor	CS - Management Studies	5	18-Feb	
Court House, 1st Floor	25 Main W, 7, 15, & 19th	Human Resources	45	23-Jun	
Court House, 3rd Floor	110 King W, 3rd Floor	Finance	40	26-May	
Court House, 5th Floor	330 Wentworth St N	CS - Risk Management	10	04-Apr	
Court House, 5th Floor	McNab Street, 3rd Floor,	CS - Real Estate	3	30-Mar	
Court House, 5th Floor	City Hall, 5th Floor	CS - Legal Services	25	31-Mar	
Eatons (I)	35 King E, 3rd Floor	TO&E - Eng. Services	6	06-Apr	
Eatons (II)	25 Main W, 5th Floor	SPHS - Health	70	29-Feb	
Eatons (II)	City Hall, 1st Floor	TO&E - Traffic	24	12-May	
Main Floor of Court House	City Hall, 4th Floor	Finance - Purchasing	7	09-Jun	
Total			476		



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Tuesday, February 8, 2000

10:00 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly,
F. D'Amico.

Regrets: Alderman D. Haining - Civic Business
Alderman G. Copps - Other Business
Alderman D. O'Sullivan - Civic Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 3 (d) of the City of Hamilton Procedural By-law respecting the requirement of notice for calling a special meeting be waived.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: -0.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 9 of the City of Hamilton Procedural By-law be waived in order to permit consideration of Hamilton Harbour Commissioner issues. **CARRIED.**

RESOLUTION

Hamilton Harbour Commission Issues

It was moved by Alderman Charters and seconded by Alderman Collins

- (a) That the City extend its timeline Agreement respecting the Hamilton Harbour Settlement to March 8, 2000 upon the Hamilton Harbour Commissioners removing its Financial Feasibility Study condition by February 21, 2000 contained in the Agreement; and,
- (b) That Mr. Philip Tunley be directed to inform the Hamilton Harbour Commissioners of City Council's position in this regard. **CARRIED.**

Bill

It was moved by Alderman Charters and seconded by Alderman Collins that the following bill be adopted, signed, sealed and enrolled as a By-law:

D-05 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 10:10 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 8, 2000**



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Friday, February 11, 2000

4:35 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, B. Charters, T. Anderson, B. Kelly, F.
D'Amico.

Regrets:

Alderman M. Caplan - City Business
Alderman T. Jackson - Sick
Alderman D. O'Sullivan - Vacation

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Collins and seconded by Alderman Charters that Council move into Committee of the Whole to consider a report respecting the lease agreement for the Sheraton Hotel with Mayor R. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: -0.

CARRIED.

RESOLUTION

Lease Agreement – Sheraton Hotel

It was moved by Alderman Anderson and seconded by Alderman Collins

- (a) That the City as Landlord of the Sheraton Hotel, 116 King Street West, grant consent to our tenant, namely GGS Hotel Holdings Canada Inc. ("GGS") to each of the following, subject to the conditions in this resolution;
 - (i) sale of GGS shares to Allied Corporate Holdings S.A.; and,
 - (ii) Assignment of Ground Lease to Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) Sublease of the hotel to Chip Reit No. 37 Operations Ltd.
 - (iv) Change of Mortgagee of Ground Lease to 3682153 Canada Inc.; and,
- (b) That the Mayor and Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the documents referred to in this resolution and the following documents:
 - (i) Assignment of Ground Lease Agreement;
 - (ii) Lease Assumption Agreement;
 - (iii) an Estoppel Certificate addressed to GGS, Chip Reit No. 37 Holdings Ltd. regarding the Ground Lease and regarding such other agreements with the Hotel as the corporate counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporate Counsel; and,
- (c) That in respect of the City's capital loan made to the Hotel in 1983,
 - (i) that GGS be informed that the balance of the loan due the City is \$2,158,091 comprised of \$1,360,532 of deferred payments and \$797,559 in payments payable over the next three years;
 - (ii) that GGS be informed that the City denies GGS's request to accept \$500,000 as payment in full of the said balance due of \$2,158,091;

- (iii) that GGS be informed that the City, as landlord, requires as a condition of its consent to the proposed lease assignment, that the loan payments be made current by payment of the said deferred principal of \$1,360,532 upon the assignment of the Ground Lease;
- (d) That these consents also be subject to the following conditions:
 - (i) certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents as the Corporate Counsel and its legal advisers may advise;
 - (ii) an Indemnity Agreement between the Chip Reit and the City guaranteeing the performance of the Ground Lease by the new tenant, Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) registration on closing by GGS of discharges of all documents on title in favour of 3682153 Canada Inc and Chizin-Seiko Housing Loan Co. Ltd and related security documents; and,
 - (iv) that GGS pay on closing of the sale the costs of the City's external legal counsel and the financial consultant retained to advise the City on this proposed sale of the Lease; and,
 - (v) the proposed sublease shall be in compliance with the provisions of the Ground Lease
 - (vi) that the city receive assurances that the Hotel shall continue under the Sheraton name
- (e) That the approvals listed above be conditional upon each of the said matters being carried out and completed as one approved transaction.and that this approval only be effective in respect of the said named parties and only during the period ending 2000 February 29.

Recorded vote.

YEAS: Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico. -11.

NAYS: Mayor Morrow, Aldermen Kiss, Copps. -3.

CARRIED.

* * * * *

It was moved by Alderman Anderson and seconded by Alderman Kelly that staff be directed to meet with the proponents to deal with the existing loan/debt and report back on possible repayment options.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Copps, Wilson, Eisenberger, Anderson, Kelly, D'Amico. -9.

NAYS: Aldermen Kiss, Morelli, Collins, Charters. -4. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Horwath that the following Bill be signed, sealed and enrolled as a by-law:

Bill E-001: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 4:10 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 11, 2000
JJS/dg**

URBAN
MUNICIPAL



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Wednesday, February 23, 2000
11:00 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

MAR 13 2000

GOVERNMENT DOCUMENTS

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Caplan, A. Horwath, R. Corsini,
D. Haining, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, B. Charters, T. Jackson, T. Anderson,
B. Kelly, F. D'Amico, D. O'Sullivan.

Regrets:

Alderman M. Kiss - Vacation
Alderman B. Morelli - Other Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Collins and seconded by Alderman Horwath that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived.

CARRIED.

It was moved by Alderman Kelly and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the lease agreement for the Sheraton Hotel with Mayor R. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

Council was in receipt of a private and confidential information report dated February 22, 2000 from Mr. Lychak, City Manager respecting lease agreement of the Sheraton Hamilton Hotel.

Mr. Lychak reviewed the negotiations which had taken place with respect to the City's ground lease of the Sheraton Hamilton Hotel to G.G.S. Hotel Holdings Canada Inc. and the re-payment of the City's capital loan for the sub-basement storage level of hotel.

It was moved by Alderman Corsini and seconded by Alderman Caplan that Council move in-camera to hear legal counsel advise on the terms of the proposal from G.G.S. **CARRIED.**

RESOLUTION

Lease Agreement – Sheraton Hotel

It was moved by Alderman Charters and seconded by Alderman Collins that no action be taken in regard to the February 22, 2000 Allied Companies repayment proposal for the city's ground lease of the Sheraton Hamilton Hotel.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly. –9.

NAYS: Mayor Morrow, Aldermen Corsini, Copps, D'Amico, O'Sullivan. –5.
CARRIED.

It was moved by Alderman Collins and seconded by Alderman Charters that staff be directed to take appropriate measures to immediately collect the outstanding amount of money owing related to the city's loan with G.G.S.

It was subsequently moved by Alderman Caplan and seconded by Alderman O'Sullivan that the motion respecting instructions to staff to recover the outstanding amount owing to the city by G.G.S. be tabled until such time as staff reports on the legal and financial implications of such to the Committee of the Whole. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Collins that the following Bill be signed, sealed and enrolled as a by-law:

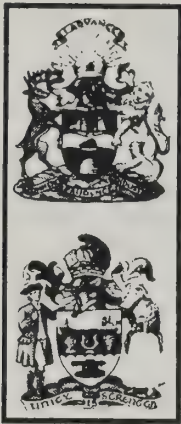
Bill E-002: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 12:50 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 23, 2000
JJS/dg**



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, February 29, 2000

7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, D. Haining,
G. Copps, D. Wilson, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman B. Morelli – Illness

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Kristine Swire led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to the Bantam Bengals, Hamilton Lacrosse Association for winning the 1999 Provincial "C" Division Championship.

Mair Davies presented the Welsh flag to Mayor Morrow.

Laura Babcock and Dennis Concordia spoke on behalf of the Safe Communities Coalition to Council and announced that Hamilton-Wentworth is now the largest Safe Community in Canada.

ADOPTION OF MINUTES

The Minutes of the meetings held February 8, 2000 (regular), February 8, 2000 (special), February 11, 2000 (special) and February 23, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated February 24, 2000 from Casablanca Inc., for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for property on the north side of the future extension of Graywood Road, south of Glenview Place, Hamilton, Ontario.

Received.

2. Application dated February 24, 2000 from Bryan Leon for removal of the 'H' Holding Provision for property at 694 Upper James Street, Hamilton, Ontario.

Received.

3. Application dated February 14, 2000 from Mr. Ivo Civitarese, 555 Queenston Road, Hamilton, Ontario for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) for 180 Walnut Street South, Hamilton, Ontario.

Received.

4. Application dated February 16, 2000 from Philpott Memorial Church for a change in zoning from "L-c" (Planned Development – Commercial) district to "H" (Community Shopping and Commercial, etc.) District modified for part of 89-91 Vine Street, Hamilton, Ontario

Received.

5. Letter dated February 16, 2000 from Marvin Ryder, Chair, Transition Board for the new City of Hamilton Re: Secondment of a municipal employee to the Transition Board.

It was moved by Alderman Eisenberger and seconded by Alderman Kelly

That, as requested by the Transition Board, approval be given for the secondment of Darryl Lee of the Municipal Clerk's Office to the Transition Board, commencing March 6, 2000 for the remainder of the year, to act as the Returning Officer for the fall municipal elections. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Nominating Committee, be now considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 04-00

It was moved by Alderman Wilson and seconded by Alderman Caplan that Section 1 of Report 04-00 of the Transport and Environment Committee be amended by adding the following:

- (d) That the proponent agree not to use the side entrance; and,
- (e) That the proponent agree not to apply to the Alcohol and Gaming Commission of Ontario for increased seating.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Horwath, Corsini, Copps. - 4. **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 04-00

Section 1 Re: Results of Insurance Review – Scott Park Minor Hockey Assoc.

It was moved by Alderman Haining and seconded by Alderman Copps that Section 1 Report 04-00 of the Parks and Recreation Committee be referred back to a special meeting of the Parks and Recreation Committee before the end of next week.

Recorded vote on referral back.

YEAS : Aldermen Kiss, Haining, Copps. –3.

NAYS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.
LOST.

Recorded vote on main motion.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Aldermen Kiss, Haining, Copps. –3. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 04-00

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 04-00

Section 2 Re: 2418 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps.-1. **CARRIED.**

Section 5 Re: Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1999 (FIN00017 – Revised)

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 5 of Report 04-00 of the Finance and Administration Committee be amended to add the word "Revised" in line 2 of the Title to read as follows:

Section 5 Re: Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1999 (FIN00017 – Revised) (Item 14). CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 02-00

Section 1 Re: Taxi Licence

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

NOMINATING COMMITTEE - REPORT 02-00

ACTING MAYOR FOR THE MONTH OF MARCH 2000

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Charters be appointed Acting Mayor for the month of March, 2000. **CARRIED.**

* * * * *

Council recessed in order to enable the Committee of the Whole to meet to consider a staff report relative to the Lease Agreement for the Sheraton Hotel. Council subsequently reconvened and it was moved by Alderman Corsini and seconded by Alderman Caplan that the motion respecting the lease agreement for the Sheraton Hotel approved by City Council at its meeting held February 11, 2000 and subsequently reconsidered be approved as amended reading as follows:

- (a) That the City as Landlord of the Sheraton Hotel, 116 King Street West, grant consent to our tenant, namely GGS Hotel Holdings Canada Inc. ("GGS") to each of the following, subject to the conditions in this resolution;
- (i) Sale of GGS shares to Allied Corporate Holdings S.A.; and,
 - (ii) Assignment of Ground Lease to Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) Sublease of the hotel to Chip Reit No. 37 Operations Ltd. and,
 - (iv) Change of Mortgagee of Ground Lease to 3682153 Canada Inc.; and,
- (b) That the Mayor and Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the documents referred to in this resolution and the following documents:
- (i) Assignment of Ground Lease Agreement;
 - (ii) Lease Assumption Agreement;
 - (iii) An Estoppel Certificate addressed to GGS, Chip Reit No. 37 Holdings Ltd. regarding the Ground Lease and regarding such other agreements with the Hotel as the Corporate Counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporate Counsel; and,
- (c) That the City, as Landlord of the Sheraton Hamilton Hotel, 116 King Street West, agree to accept in respect of the City's loan for the sub basement storage level of the Hotel, from GGS Hotel Holdings Canada Inc. ("GGS") our tenant, the sum of \$365,000 upon closing of the sale of the Hotel Lease and payments over twenty-five years, by a series of stepped re-payments, as follows:
- for the next 10 years, \$60,000. per year;
 - for the following 5 years, \$100,000. per year;
 - for the following 5 years, \$130,000. per year;
 - for the last 5 years of the 25 year repayment period, \$160,000. per year;
 - each of the said annual payments would be paid in quarterly payments at the end of each quarter;
 - interest would be payable at the prime lending rate of the CIBC (or such other financial institution then acting as banker for the City) on any payment not received on the due date;
 - GGS and its successors shall continue to operate and maintain the Hotel in accordance with the standards and requirements in the Ground Lease; and,
 - the loan becomes immediately due and payable in full should the hotel not continue as a Sheraton or four star equivalent or the hotel be in default of payments.
- (d) That the Ground Lease dated May 3, 1983 (including its amending agreements) be further amended by an amending agreement to implement the said revised loan re-payment provisions, such amending agreement to be in a form satisfactory to Corporate Counsel; and,
- (e) That these consents also be subject to the following conditions:

APR 12 2000

GOVERNMENT DOCUMENTS

- (i) certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents as the Corporate Counsel and its legal advisers may advise; and,
- (ii) an Indemnity Agreement between the Chip Reit and the City guaranteeing the performance of the Ground Lease by the new tenant, Chip Reit No. 37 Holdings Ltd.; and,
- (iii) registration on closing by GGS of discharges of all documents on title in favour of 3682153 Canada Inc and Chigin-Seiho Housing Loan Co. Ltd and related security documents; and,
- (iv) that GGS pay on closing of the sale the costs of the City's external legal counsel and the financial consultant retained to advise the City on this proposed sale of the Lease; and,
- (v) the proposed sublease shall be in compliance with the provisions of the Ground Lease; and,
- (vi) that the City receive assurances that the Hotel shall continue under the Sheraton name; and,
- (f) That the approvals listed above be conditional upon each of the said matters being carried out and completed as one approved transaction and that this approval only be effective in respect of the said named parties and only during the period ending 2000 March 31; and,
- (g) That this resolution shall take effect and come into force upon its approval by the Transition Board and staff are hereby authorized to submit this resolution to the Board.

CARRIED.**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -11

NAYS: Aldermen Kiss, Wilson, Eisenberger, Collins, Charters. -5 **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:40 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 29, 2000
JJS/dg**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, February 21, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen A. Horwath, T. Anderson, F. D'Amico
Regrets:	Mayor R. M. Morrow (Civic Business) Alderman M. Kiss (Vacation) Alderman B. Morelli (Other Business) Alderman T. Jackson (Personal Business)
Also Present:	C. Guthro, M. Hazell, R. Meiers, K. Extance, B. Price, C. Biggs
	Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. Outdoor Boulevard Café – 56 Hess Street South (PWT00036) (Item 3)

- (a) That the application of Berg Corp operating as Doors Pub and Pizzeria, to extend an existing outdoor boulevard café in front of 56 Hess Street South to incorporate 16' x 30' of the Hess Street South road allowance, be approved on a trial basis, from May 1, 2000 to October 31, 2000, subject to the following conditions:
 - i) That the applicant enter into a Boulevard Cafe agreement in a form satisfactory to the Acting Commissioner of Public Works and Traffic and the Director of the Legal Services Department; and
 - ii) That the applicant pay a registration fee of \$50 and an annual fee to be determined by the Real Estate Division, Legal Services Department, at such time as the current moratorium on encroachment fees ends; and

- iii) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and
 - iv) That the applicant occupy the licensed area of the boulevard from May 1, 2000 to October 31, 2000, and that all furniture, equipment, etc. be removed from the road allowance at all other times; and
 - v) That the applicant provide access for the physically challenged utilizing the Barrier Free Design Standards adopted by Council on October 25, 1994; and
- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the Boulevard Café Agreement; and
 - (c) That at the end of the trial period, staff report back and recommend a continuance of the agreement if appropriate.
 - (d) That the proponent agree not to use the side entrance; and,
 - (e) That the proponent agree not to apply to the Alcohol and Gaming Commission of Ontario for increased seating. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Horwath, Corsini, Copps. - 4. **CARRIED.**

2. Local Improvement Charges for the Construction of Roads, Curbs, Sidewalks and Alleys (PWT00040) (Item 4)

- (a) That the following changes be made in the maximum charges per metre of frontage for local improvement construction:

		Maximum Charge per Metre of Frontage	
<u>Item</u>		<u>Existing 1999</u>	<u>Proposed 2000</u>
i)	Curb Only	\$ 74.00	\$ 78.00
ii)	Sidewalks Only	\$105.00	\$116.00
iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$151.00	\$164.00
iv)	Roadway Only	\$256.00	N/A
v)	Alleys	\$ 90.00	\$ 94.00

		Maximum Charge per Metre of Frontage	
<u>Item</u>		<u>Existing 1999</u>	<u>Proposed 2000</u>
vi)	Roadway and Curbs only (Industrial Subdivisions)	\$338.00	N/A

- (b) That the Commissioner of Public Works and Traffic be authorized and directed to amend the Local Improvement By-law.

3. Local Improvement By-law – Construction of a Concrete Alley First South of Main Street West, from Thorndale Street South to Norfolk Street South (PWT00041) (Item 5.1)

That the appropriate By-law be enacted to authorize construction of local improvements of a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South.

4. Local Improvement By-law – Construction of a Concrete Alley First South of Markland Street, from Chilton Place westerly to the North-South Alley (PWT00042) (Item 5.2)

That the appropriate By-law be enacted to authorize construction of local improvements of a concrete alley first south of Markland Street from Chilton Street westerly to the north-south alley.

5. Local Improvement By-law – Construction of an Independent Concrete Side- walk on the east side of Main Street West, along the frontage of 1895 Main Street West (PWT00043) (Item 5.3)

That the appropriate By-law be enacted to authorize construction of local improvements of an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West.

6. After-Hours Desk – Customer Service Levels (New Business)

That the Finance and Administration Committee be requested to review the customer service level provided by the staff at the after-hours desk.

7. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-007 A by-law to authorize the construction, as a local improvement, a concrete alley first south of Main Street West, from Thorndale Street South to Norfolk Street South, upon the petition of the abutting owners pursuant to Section 11 of The Local Improvement Act;

A by-law to authorize the imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

A by-law to authorize the preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

- (b) A-008 A by-law to authorize the construction, as a local improvement, a concrete alley first south of Markland Street, from Chilton Place westerly to the north-south alley, upon the petition of the abutting owners pursuant to Section 11 of The Local Improvement Act;

A by-law to authorize the imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

A by-law to authorize the preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

- (c) A-009 A by-law to authorize the construction, as a local improvement, an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West, upon the petition of the abutting owners pursuant to Section 11 of The Local Improvement Act;

A by-law to authorize the imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

A by-law to authorize the preparation of plans, specifications and reports and the supervision of construction of the said works by the Acting Commissioner of Public Works and Traffic.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes – January 31, 2000 (Item 2)**

That the Minutes of the meeting of the Transport and Environment Committee held on January 31, 2000, be adopted.

- (c) **Outdoor Boulevard Café – 56 Hess Street South (PWT00036) (Item 3)**

Staff advised that they would be consulting with Legal Services in terms of liability and expenses to the City of Hamilton (i.e., costs incurred by the applicant), should the application for the outdoor boulevard café not be approved to operate beyond the six-month trial period.

Staff was requested to bring a report back to the Committee which more systemically addresses noise issues in the downtown core, as well as other areas of the City.

- (d) **Local Improvement Charges for the Construction of Roads, Curbs, Sidewalks and Alleys (PWT00040) (Item 4)**

Staff was requested to bring a comprehensive report back to the Committee detailing the increase in construction costs from prior years and how this issue could be addressed in the future.

(e) After-Hours Desk – Customer Service Levels (Item 6)

Members of the Committee expressed concerns from their constituents that when they contacted the after-hours desk for assistance, the responses received from the staff was poor and less than satisfactory.

(f) Other Business

- (i) Request from D. Brown, P. McCarroll-Butler and N. Patti to appear before the Committee respecting Certificate of Approval Applications for Discharge to Air Quality by Industries in the City and Region (New Business – No Copy)**

The Committee was in receipt of correspondence dated November 12, 1999 from D. Brown, P. McCarroll-Butler and N. Patti respecting Certificate of Approval Applications for Discharge to Air Quality by industries in the City and Region, and their request to address the Committee on this issue.

The Committee Chairman was directed to forward a letter to the Minister of the Environment requesting the Ministry's position with respect to area municipalities not being given the opportunity to comment on such applications. D. Brown, P. McCarroll-Butler and N. Patti will be invited to address the Committee following receipt of the Ministry's response.

Alderman D. Wilson requested that particular attention be given to snow clearing on Auburn Avenue, south of Normandy, given the slope of the road and the difficulties experienced by the residents on the street

(g) Information Items (Item 5.4)

That the following items, be received:

- (i) Enforcement of the Private Property By-law, as amended, and towing "unauthorized motor vehicles" (PWT99088a)**
- (ii) Correspondence dated January 26, 2000 from the Ministry of the Environment to CleanSoils Limited, respecting Revocation of Provisional Certificate of Approval for a waste disposal site (processing), A100314 located at Pier 26, Eastport Drive, Hamilton**

Note: The meeting of the Transport and Environment Committee adjourned at 10:05 a.m.

Alderman C. Collins, Chairman
Transport and Environment Committee

Carolyn Biggs
Legislative Assistant
February 21, 2000



REPORT

CITY OF HAMILTON SPECIAL PARKS AND RECREATION COMMITTEE

Tuesday, February 29, 2000
12:00 noon
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman M. Kiss (Vice-Chairperson) Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson, T. Anderson, D. O'Sullivan
Regrets:	Alderman B. Morelli (Chairperson) (Illness) Mayor R. M. Morrow (Personal Business)
Also Present:	Aldermen D. Wilson, C. Collins, B. Charters, F. D'Amico R. Fair, K. Duncliffe, G. Makins, C. Secore, P. Barkwell, M. Hill, C. Touzel

Alderman M. Kiss, Vice-Chairperson, called the meeting to order.

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. **Results of Insurance Review - Scott Park Minor Hockey Association** (Item 2)
 - (a) That, in accordance with the City Affiliation Policy, the Scott Park Minor Hockey Association be suspended immediately as an affiliate organization of the City of Hamilton, based on deficiency of insurance coverage as determined by an independent review by Dalton Timmis Insurance; and,
 - (b) That the Director of Culture and Recreation be directed to honour existing ice time commitments to the Association until a final determination of this matter is made; and,
 - (c) That the Parks and Recreation Committee be requested to give consideration to the permanence of this suspension at its April 3, 2000 meeting; and,

- (d) That the Executive of the Scott Park Minor Hockey Association be notified that it is entitled to attend the April 3, 2000 meeting of the Parks and Recreation Committee and make submissions; and,
- (e) That the Executive of the Association be notified of this decision forthwith; and,
- (f) That the Director of Culture and Recreation communicate relevant information directly to all parents of children currently involved in hockey with the Scott Park Minor Hockey Association.

Recorded vote on main motion.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Kiss, Haining, Copps. -3.

CARRIED.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Results of Insurance Review - Scott Park Minor Hockey Association (Item 2)

Following a presentation in open session, the Committee moved in camera to receive advice that is subject to solicitor-client privilege.

Aldermen Kiss and Copps wished to be recorded as opposed to moving in camera.

The Committee reconvened in open session and amended the Staff recommendation by adding Sub-section (f) as follows:

- (f) That the Director of Culture and Recreation communicate relevant information directly to all parents of children currently involved in hockey with the Scott Park Minor Hockey Association.

Alderman Copps wished to be recorded as opposed to the amendment.

The main motion as amended was subsequently carried, with Aldermen Kiss and Copps recorded as opposed.

Aldermen Kiss and Copps also requested an opportunity to review the draft letter to the Association as referenced in Sub-section (e) of the recommendation, before it is sent.

Note: The Special Meeting of the Parks and Recreation Committee adjourned at 1:30 p.m.

**Alderman M. Kiss, Vice-Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
February 29, 2000**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, February 23, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly
Regrets:	Mayor R. M. Morrow (Civic Business)
Also Present:	Alderman Horwath, Alderman Anderson, L. Coveyduck, G. Paparella, P. Mason, P. Mallard, A. Zuidema, P. Lampman, M. Mascarenhas, H. Milsome, E. Switinky, E. Chajka, K. Nutley, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. **SAC-99-04 & ZAC-99-39 for lands South of Royalvista Drive and West of Upper Gage Avenue (PDC00039) (Item 2.1)**
 - A. That approval be given to Subdivision Application 99-04. (Regional File No.25T-99010). A. Nesci and 683595 Ontario Inc. to establish a draft plan of subdivision "Royalvista Court", on lands located south of Royal Vista Drive and west of Upper Gage Avenue in the Eleanor Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:
 - (a) That this approval apply to the plan prepared by A.J. Clarke and Associates Ltd. and certified by B.J. Clarke, O.L.S., dated October 18, 1999, showing 8 lots for single detached dwellings and 1 block for future development with the abutting lands, attached as Appendix "B"

- (b) That the owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
- (c) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
- (d) That the final plan conform with the Zoning By-law approved under the Planning Act;
- (e) That the owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan;
- (f) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (g) That the Owner agree to include the following warning clause to be registered on title of Lot 8 within the plan of subdivision, and the owner shall ensure that the warning clause is included in all offers of purchase and sale and reservation agreements to the satisfaction of the Director, Land Development Department, Community Planning and Development Division and the Corporate Counsel:

"Purchasers are advised that noise levels originating from Upper Gage Avenue may become of concern, occasionally interfering with some activities of the occupant."

- (h) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton and Region of Hamilton-Wentworth prior to development of any portion of these lands.
- (i) That the owner/applicant establish a 0.30 metre reserve adjacent to Upper Gage Avenue along the full frontage of Block 9. The reserve is to be transferred to the City of Hamilton upon registration of the final plan for Block 9. The Reserve is to be established outside the existing road allowance and will be transferred back to the owner once the ultimate design for Block 9 has been registered on title to the satisfaction of the General Manager, Community Planning and Development Division.
- (j) That Part 8 on Reference Plan 62R-9436 is dedicated to the Region for road widening purposes.

- (k) That Parts 6 and 7 on Reference Plan 62R-9436 be dedicated to the City of Hamilton for road widening purposes to complete the required daylight triangle.
- (l) That the owner agree in writing and register on title of Lot 8 that vehicular access to Lot 8 must be within the 4.5m frontage on Royal Vista Drive outside of the daylight triangle.
- (m) That the owner purchase Part 5 on Reference Plan 62R-9436 from the City of Hamilton and merge it in title with these lands to the satisfaction of the Director, Land Development Department, Community Planning and Development Division and the Corporate Counsel.
- (n) That the applicant/owner enter into appropriate agreements with the City of Hamilton and the Region of Hamilton-Wentworth to pay all outstanding land, servicing, and road costs on Royalvista Drive.
- (o) That the owner submit the necessary documentation to the satisfaction of the Manager, Development Engineering Section, Land Development Department that the utility easement running east-west is no longer required and has been extinguished.
- (p) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under Section 51 of the Planning Act.
- (q) That prior to the registration of the proposed plan of subdivision, the owner file with the City of Hamilton an application for exemption from part lot control for the purpose of creating maintenance easements for Lots 1 — 8 to the satisfaction of the Manager, Development Planning, Land Development Department.
- (r) That any phasing of this development and any temporary works required accommodating the same, be to the satisfaction of the Manager, Development Engineering Section, Community Planning and Development Division.
- (s) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAC-99-04/25T-9901 0), "Royalvista Court", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met.

- (t) That the Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision.
- B. That approval be given to Zoning Application ZAC-99-39. A. Nesci and 683595 Ontario Inc., for changes in zoning from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "R-4" (Small Lot Single Family Dwelling) District (Block "1"), from "L-c" (Planned Development — Commercial) District, modified, to "R-4" (Small Lot Single Family Dwelling) District (Block "2"), from "L-c" (Planned Development — Commercial) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District (Block "3"), from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District (Block "4"), and, from "G" (Neighbourhood Shopping Centre, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District (Block "5") to permit the use of the subject lands for single detached residential uses, for lands located south of Royalvista Drive and west of Upper Gage Avenue in the Eleanor Neighbourhood, as shown on the attached map marked as APPENDIX "A" on the following basis:
- (a) That Block "1" be rezoned from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "R-4" (Small Lot Single Family Dwelling) District;
 - (b) That Block "2" be rezoned from "L-c" (Planned Development — Commercial) District, modified, to "R-4" (Small Lot Single Family Dwelling) District;
 - (c) That Block "3" be rezoned from "L-c" (Planned Development — Commercial) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District;
 - (d) That Block "4" be rezoned from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District; and,
 - (e) That Block "5" be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District.
 - (f) That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed "C" (Urban Protected Residential, etc.) District applicable to Blocks "3" "4" and "5". The holding provision will

prohibit the development of the subject lands, referred to in sections (D)(c), (D)(d) and (D)(e), until such time as the following conditions have been satisfied:

- (i) That the lands shown as Blocks "3", "4" and "5" be assembled for the purpose of orderly development to the satisfaction of the Director, Land Development Department, Community Planning and Development Division; and,
- (ii) The applicant/owner applying for and receiving draft plan approval by the Region of Hamilton-Wentworth of a Plan of Subdivision.

City Council may remove the 'H' symbol, and thereby give effect to the 'C' District provisions by enactment of an amending By-law once the conditions have been fulfilled;

- (g) That the amending By-law be added to Section 1 9B of Zoning By-law No. 6593 as Schedule S -1440, and that the subject lands on Zoning District Maps E-38C and E-38D be notated as S -1440;
- (h) That the Corporate Counsel of Legal Services be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council;
- (i) That upon redesignation of the subject lands in the approved Eleanor Neighbourhood Plan from "Commercial" and "Utilities" to "Single and Double" Residential, then the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area; and,
- (j) That the approved Eleanor Neighbourhood Plan be amended to redesignate the subject land from "Commercial" and "Utilities" to "Single and Double" Residential and to revise the street plan to provide for the proposed cul-de-sac.

2. ZAC-99-40, Lands Located at 1389 Upper James Street (PDC00040) (Item 2.2)

That approval be given to Zoning Application 99-40, J & A Riccio Developments Inc., prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District (Block "1") and "AA" (Agricultural) District (Block "2") to "HH" (Restricted Community Shopping

and Commercial) District, for property located at 1389 Upper James Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (c) The "HH" (Restricted Community Shopping Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 14. (3) (a) of By-law No. 6593, a front yard of not less than 24.0 metres in depth shall be provided and maintained;
 - (ii) That notwithstanding Section 18A. (9) of Zoning By-law No. 6593, the required maneuvering for parking and loading spaces may be provided and maintained off-site;
 - (iii) That a minimum 3.0 m wide landscape area shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access;
 - (iv) That a planting strip not less than 3.0 metres in width, and a visual barrier not less than 1.8 metres in height and not greater than 2.0 metres in height shall be provided and maintained along the entire easterly rear lot line;
- (d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1439, and the subject lands on Zoning District Map E-9C be notated S - 1439;
- (e) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C, for presentation to City Council;
- (f) That this proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (g) That the subject lands be redesignated on the approved Ryckmans Neighbourhood Plan from "Civic and Institutional " to "Commercial and Retail Warehouse" upon finalization of the implementing By-law.

- (h) That Staff be directed to incorporate fence access to the Dr. William Bethune Park through the Site Plan approval process.

3. Downtown Hamilton BIA- Proposed Budget and Schedule of Payments for 2000 (PWT00039) (Item 4.2)

- (a) That the 2000 operating budget for the Downtown Hamilton B.I.A, attached hereto as Appendix 'D', be approved in the amount of \$135,000; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

March	\$67,500
June	\$33,750
September	\$33,750

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

4. Ottawa Street BIA- Proposed Budget and Schedule of Payments for 2000 (PWT00045) (Item 4.3)

- (a) That the 2000 operating budget for the Ottawa Street B.I.A., attached hereto as Appendix 'E' be approved in the amount of \$54,050; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

February	\$17,600.00
May	\$17,600.00
September	\$18,850.00

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

5. Final Lot Grading and Sodding Contract for Various Subdivisions in Hamilton During the Year 2000 (PDC00028) (Item 4.4)

That the General Manager of Finance be authorized and directed to issue an Open Order to Cedar Springs Landscape Contractors Ltd. to provide final lot grading and sodding as and when required during the year 2000 in various subdivisions in Hamilton.

6. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-003 A By-law to Amend By-law No. 6593 As Amended by Bylaw No. 99-058 Respecting Land Located at Municipal No. 723 Rymal Road West.
- (b) C-004 A By-law to Remove Land within the "Kemp Estates" Subdivision, Plan 62M-812 from Part Lot Control.
- (c) C-005 A By-law to Remove Land within the "Gourley Stage 2, Phase 2" Subdivision, Plan 62M-897 from Part Lot Control.
- (d) C-006 A By-law to Amend By-law No. 6593 As Amended by Bylaw No. 99-103 Respecting Lands Located on the South Side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - February 2, 2000 (Item 3.1)

The Minutes of the meeting held February 2, 2000 were adopted.

(c) SAC-99-04 & ZAC-99-39 for lands South of Royalvista Drive and West of Upper Gage Avenue (PDC00039) (Item 2.1)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the report. He advised that of 105 Notices circulated, 4 replied in favour and none opposed.

Al Fletcher and the applicants were present in favour of the recommendation. He advised that there is adequate supply of commercial in the area and the development is compatible with the surrounding neighbourhood.

Sergio Manchia of Planning Initiatives was present on behalf of residents on Liverno Court, specifically Mr. and Mrs. Hutton. He stated that his clients have concerns regarding traffic, density and the intended use as commercial.

Alderman Anderson and Alderman Kelly were in favour of the proposal.

In response to a question from Alderman Copps, Paul Mallard stated that the density is compatible with the surrounding area.

(d) **ZAC-99-40, Lands Located at 1389 Upper James Street (PDC00040)**
(Item 2.2)

Submission-Mary Lou Dickson, 1428 Upper James Street, Hamilton

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard reviewed the report for the Committee and advised that of 38 notices circulated 2 replied in favour one one opposed.

Mr. Riccio was present in favour of the recommendation.

Marilyn Smith of 1375 Upper James Street was present to voice her opposition to the proposed walkway and also to request a 2-metre chain link fence abutting her property as a condition of approval.

Paul Mallard advised that the provisions requiring fences are only for residential properties and Mrs. Smith's property is zoned commercial. He suggested that the ward aldermen would have an opportunity to review the fencing issue at the Site Plan Stage.

Robert Morris of 1452 Upper James Street was present in opposition to the recommendation. In response to a question, Kevin Nutley advised that the property was declared surplus and then it was put up for sale through a real estate company.

Mr. Morris stated that his family has owned his property since the 1940's and he is concerned over the condition of the park. The chairperson assured him that there is money in the budget to renovate the pool and that money from the sale of the land is being allocated to park redevelopment.

In response to a question from Alderman Copps, Paul Mallard stated that a 600 foot walkway is not practical.

A discussion ensued concerning a potential walkway or gate. Art Zuidema advised that an easement is a right of passage and there would be a long term liability to the City to maintain it. In addition the terms and conditions of purchase and sale may change or be nullified.

Mr. Riccio stated that he is prepared to support access from his property as well as all the other commercial properties abutting the park.

An amendment was introduced and defeated as follows:

"That staff be directed to include a public access easement from the property in question to the park".

A further amendment was introduced and carried as follows:

"That Staff be directed to incorporate fence access to the Dr. William Bethune Park through the Site Plan approval process".

*Alderman Copps was opposed to the amendment.

*Alderman Copps was opposed to the main motion as amended.

(e) Demolition of 244 King St. E., Implementation of the Ferguson Avenue Master Plan (PWT00037) (Item 4.1)

Alderman Charters was concerned that there was no comprehensive plan to deal with this property. The Committee concurred that development should not occur piecemeal and that this should be incorporated into an overall plan such as the Secondary Plan which will be presented in June.

Following discussion the Committee resolved that the report be tabled with direction to staff to come back with a comprehensive plan regarding best use for the site and the building.

(f) Information Items (Item 4.5)

That the following Information Items as previously distributed to Members of the Planning and Development Committee be received:

- (a) Acting General Manager/MOH Social and Public Health Services Division re: Extra Funding for Federal Renovation Programs (HSB0004) dated February 7, 2000.
 - (b) General Manager, Community Planning and Development Division and Director, Economic Development Department re: Update on Brownfields Initiatives (PDC00037) dated February 7, 2000.
 - (c) General Manager, Community Planning and Development Division re: Development Permit System – Pilot Project for the City of Hamilton (PDC00025) dated February 11, 2000.
 - (d) General Manager, Community Planning and Development Division re: 195 Ferguson Avenue North – Implementation of the Wesley OMB Decision (seventh report) – (PDC99088(E)) dated February 11, 2000.
- (g) **Extra Funding for Federal Renovation Programs (HSB0004)** (item 5.1)

Mark Mascarehas was present to review the information report with the Committee. He advised that the City has applied for and received 1.7 million dollars.

(h) **Other Business**

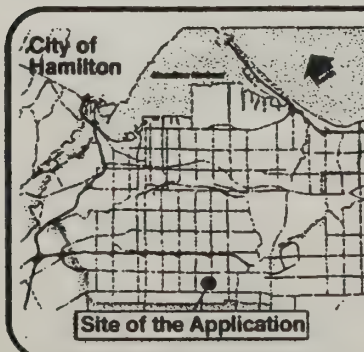
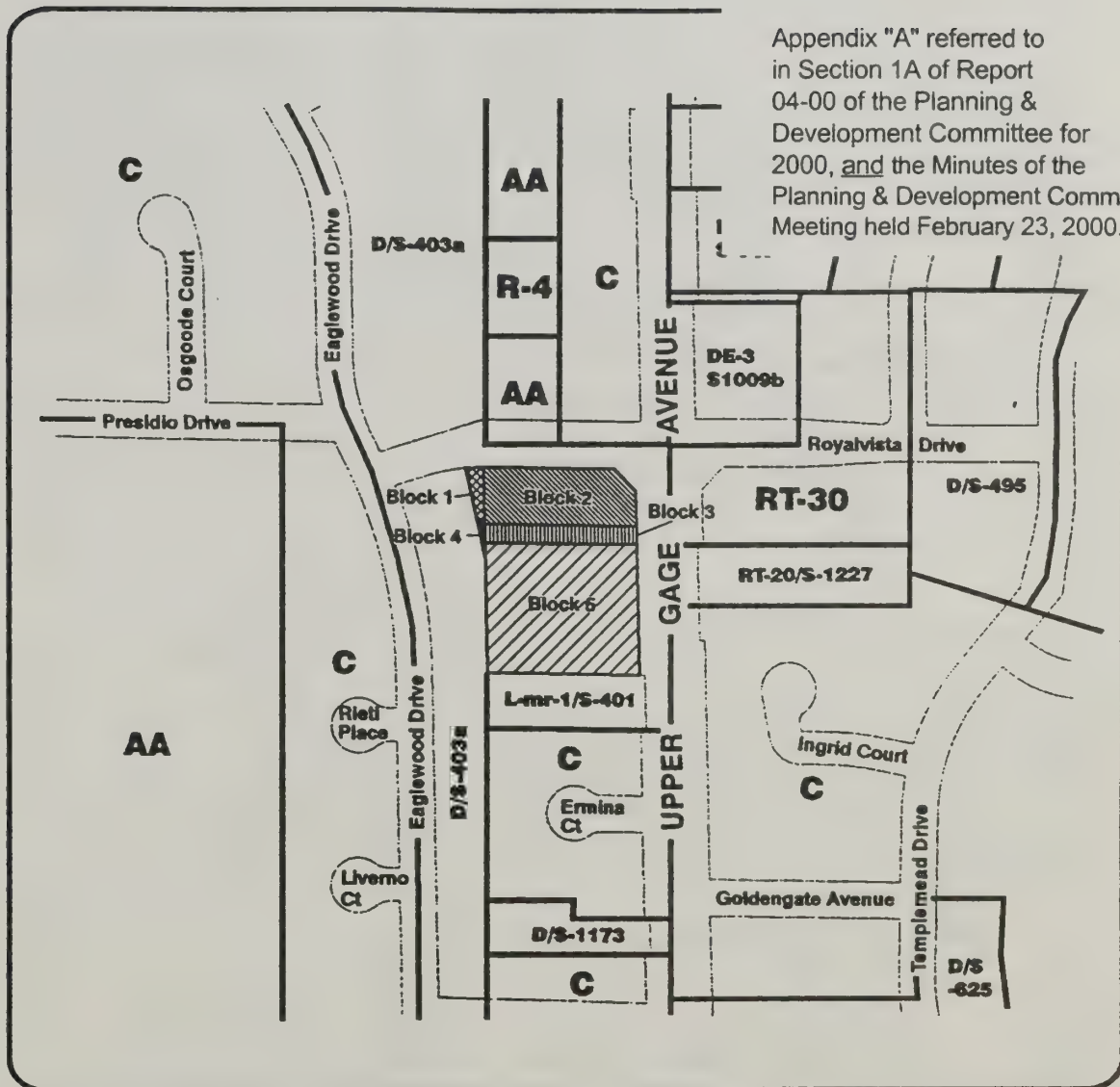
- (i) Alderman Corsini advised the Committee that the City has until the end of year 2000 to determine alternate sites for the corrections facility. Paul Mason advised that staff is preparing a report regarding residential care facilities including correction which will be completed soon.
- (ii) Alderman Charters advised the Committee that Habitat for Humanity is interested in property which is presently zoned as a parking lot. After brief discussion the Committee resolved a follows:

“That Community Planning and Development Division staff be directed to undertake a City Initiative to rezone the lands at 90 Kinraid Street to permit residential use.”

Note: The meeting of the Planning and Development Committee adjourned at 10:45 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
February 23, 2000**



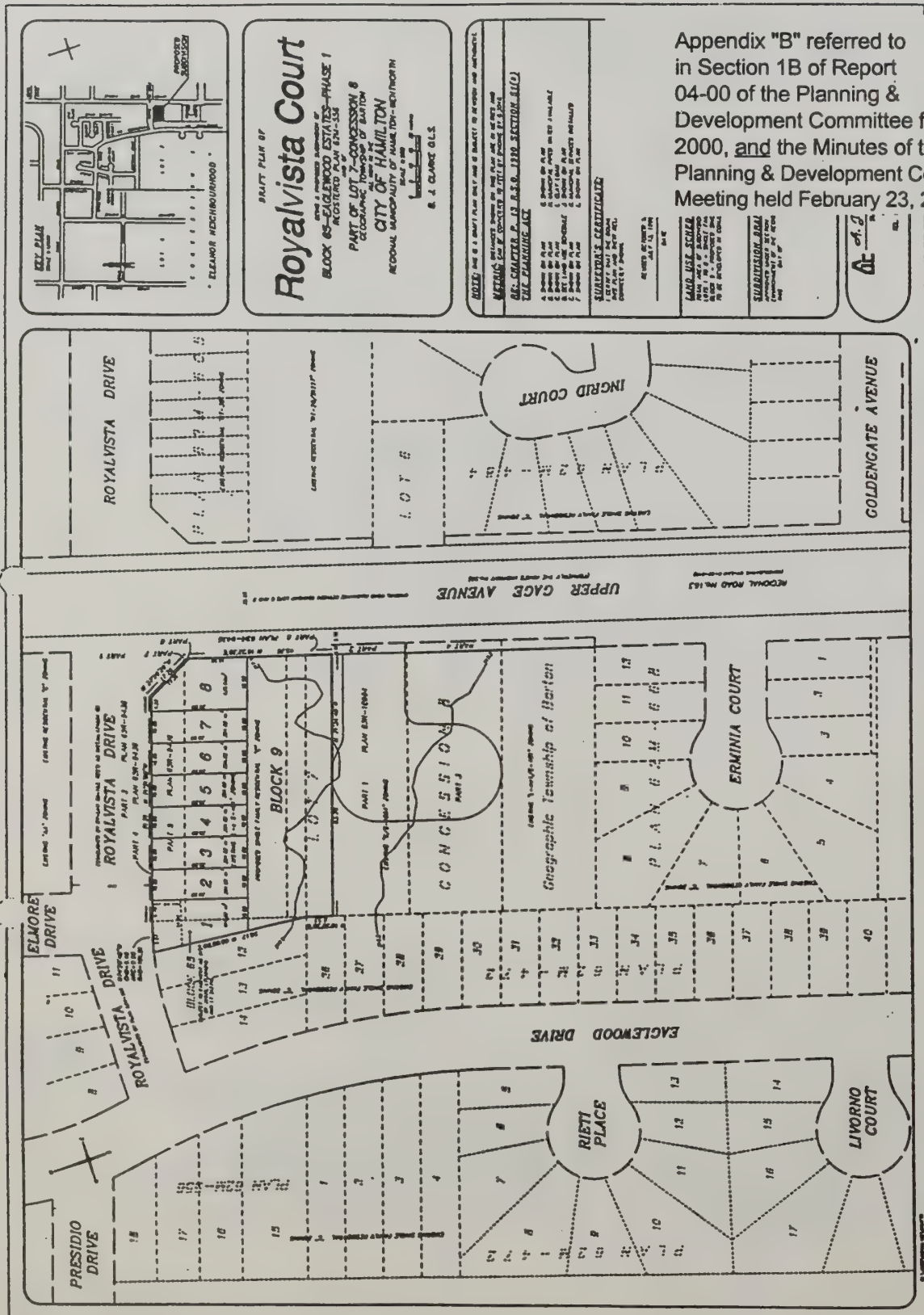
COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map**Legend**

- Block 1** from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "R-4" (Small Lot Single Family Dwelling) District
- Block 2** from "Lc" (Planned Development) District, modified to "R-4" (Small Lot Single Family Dwelling) District
- Block 3** from "Lc" (Planned Development) District, modified to "C-1H" (Urban Protected Residential, etc. - Holding) District
- Block 4** from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "C-1H" (Urban Protected Residential, etc. - Holding) District
- Block 5** from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "C-1H" (Urban Protected Residential, etc. - Holding) District

Reference file:
ZAC-99-39Scale
Not to ScaleDate
Dec, 1999Technician:
D.L.

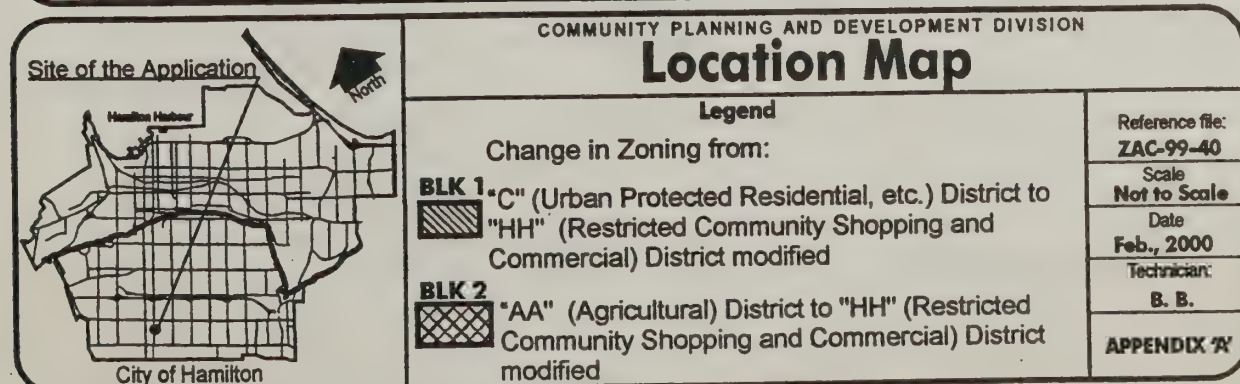
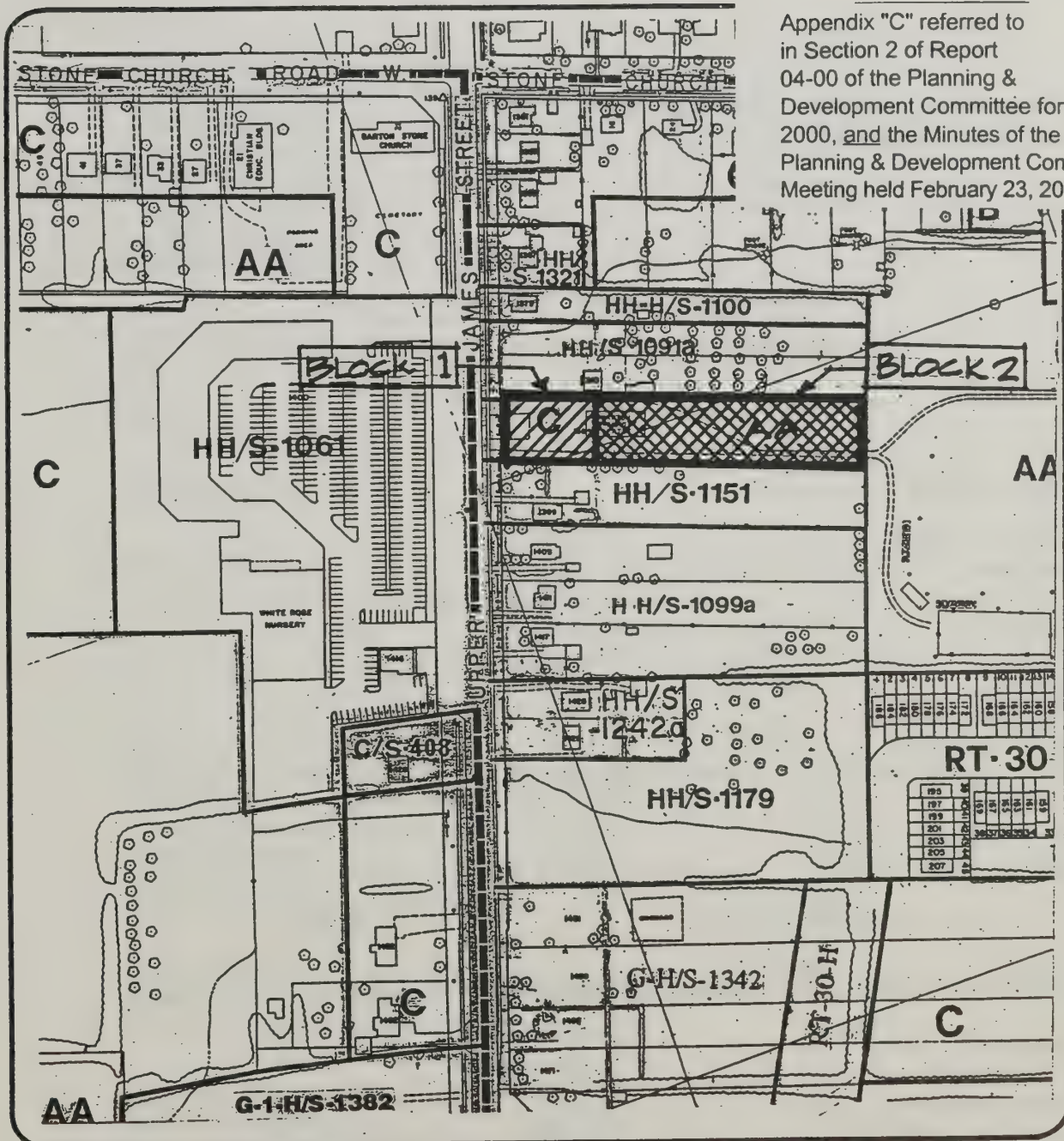
APPENDIX "A"



Appendix "B" referred to in Section 1B of Report 04-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held February 23, 2000.

APPENDIX "B"

Appendix "C" referred to in Section 2 of Report 04-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held February 23, 2000.



Downtown Hamilton Business Improvement Area (B.I.
Proposed Budget and Schedule of Payment for 2000 (

Appendix "D" referred to
in Section 3 of Report
04-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held February 23, 2000.

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S 2000 BUDGET

Administration

Accounting Fees	\$ 2,800
Telephone	\$ 1,500
Rent	\$ 9,800
Meetings	\$ 2,000
Salary	\$51,000
Benefits	\$ 2,600
Office Expenses	\$ 4,500
Office Equipment	\$ 1,500
Insurance (D&O+General)	\$ 2,300 (\$800+\$1,500)
Sub-Total	\$78,000
Plus Miscellaneous (5%)	\$ 4,000

TOTAL ADMINISTRATION	\$ 82,000
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Proposed Special Events and Promotions and Estimated Costs

Music in the City	\$ 8,000
Easter Program	\$ 4,000
Explore the Core	\$ 3,000
Major Core Event	\$25,000
Christmas In Gore Park	\$ 5,000
Other Events	\$ 5,000

TOTAL SPECIAL EVENTS AND PROMOTIONS	\$ 50,000
SUB-TOTAL	\$132,000
Plus GST (3.5%)	\$ 3,000

<u>TOTAL B.I.A.BUDGET</u>	<u>\$135,000</u>
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**Ottawa Street Business Improvement Area (B.I.A)
Proposed Budget and Schedule of Payment for 2**

Appendix "E" referred to
in Section 4 of Report
04-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held February 23, 2000.

2000 BUDGET

EXPENSES

Insurance \$ 1,000

Meeting Expenses \$ 400

Office Expenses \$ 1,500

*This includes Commercial Development Plan Implementation

Rent \$ 1,200

Professional Services \$14,900

*Page By Page Consulting – Office Work and Program Implementation \$4,000

*Business Owners Development Institute - Advertising Coordination \$2,500

*Padgett Business Services - Bookkeeping \$1,200

*Streetfest Coordinator \$3,000

*Amity -Employment Services- Street cleaning, windows, snow removal \$1,200

*Sheprott Security Services- 30 nights (TBD) \$3,000

Special Events \$13,000

Streetfest- All logistics excluding Coordination and Advertising \$12,000

Christmas – Carolers, Santa, Candy Canes, Free Parking \$ 1,000

Beautification and Parking \$ 12,050

Flower Planter Maintenance \$ 1,200

Decorative Banners installation 3 times a year \$ 1,850

Decorative Lighting hydro for 3 months (\$600/month) \$ 1,800

Decorative Lighting Program \$ 6,000

Parking Tokens \$ 1,200

Advertising \$20,000

*Monthly Radio Campaign

*Full page newspaper advertisements

Ottawa Street Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT00045)

*Monies available to augment individual merchant advertisements

*Live remote with radio station

	TOTAL	\$62,850.00
Balance carried forward from 1999		\$10,000.00
Total BIA Levies		\$54,050.00

*G.I.C. To cover rebates on tax assessments if required

PLEASE NOTE THE FOLLOWING:

To All BIA Board Members:

All Comments, suggestion, changes need to be submitted by Monday, December 20, 1999.

*Last year's budget was \$34,945 plus \$20,000 carried forward from the Jockey Club

*This proposed budget is \$52,850

*The amount of the GIC will be determined on Monday.

Please call me at
335-0997

Patty



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, February 15, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Regrets:

Mayor R. Morrow - City business

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, M. Caplan

Regrets:

Councillor A. Sloat - vacation

Also present:

D. Lychak, A. Ross, J. Bruzzese, M. Hazell, K. Nutley, C. Guthro,
G. Paparella, M. Hill, T. Tollis, R. Male, B. McMullen, R. Roszell,
D. Beck, L. Bourns, T. Whitehead, Susan K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. Offer to Purchase - 171 Main Street East (CS00008)(Item 9)

- (a) That an Offer to Purchase, executed by Spadar Developments Inc. (Ralph Frisina, President) on January 31, 2000 and scheduled to close on or before May 10, 2000, for real property composed of Part of Lot 13, Concession 2 and Part of Lots 1, 2 and 3, Samuel Mills Survey, in the

geographic Township of Barton, indexed as Part of Lot 15, Registrar's Complied Plan 1391, municipally described as 171 Main Street East, Hamilton and having an average width of 48.57 metres (159.35 ft) more or less, an average depth of 39.09 metres (128.2 ft.) more or less, and an area of 0.188 ha (0.465 acres) more or less, specifically described as Part 1 on Plan No. RA-H-689 Surveys, be approved and completed and the funds derived from the sale in the amount of \$175,000 be credited to Account COHAM 47702-104095 (Off Street Parking Reserve); and,

- (b) That the required deposit cheque in the amount of \$17,500 be held by the General Manager, Finance pending completion of this transaction; and,
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (d) That this Offer to Purchase Agreement contain the conditions as set out in the Appendixes attached herewith and marked Appendix "A"; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by City Council on November 30, 1999, pursuant to Item 5 of the 17th Report of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of this real property intended to be sold was obtained on December 3, 1999.

2. Declaration of Surplus Property - 2418 Barton Street East, Hamilton - garbage truck maintenance facility (CS00004)(Item10)

- (a) That City owned property at 2418 Barton Street East with a frontage of 40.68 metres (133.46 feet) more or less, on the south side of Barton Street East and an area of 0.693 hectares (1.713 acres) more or less, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049, provided that a one foot reserve is retained by the City across the rear property boundary abutting Eastgate Court to prevent access to the Court until such time as the rear portion of the property is developed for residential use and direct access to Eastgate Court is approved by the City.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps.-1.

CARRIED.

3. Declaration of Surplus Property - a one foot reserve in front of a portion of 159 Chester Avenue, Hamilton (CS00007)(Item 12)

- (a) That a one foot reserve across the front of part of the property known as 159 Chester Avenue, Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property to the abutting property owner in accordance with the Real Property Sales Procedural By-law No. 95-049.

4. Authorization to enter into Extension Agreements on Specific Properties for the payment of realty tax arrears (FIN00013)(Item 13)

- (a) That the City be authorized to enter into Extension Agreements if required in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties, to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:
 - (i) 63 Hildegard Drive
 - (ii) 369 Ferguson Avenue North
- (b) That the appropriate by-law to authorize the said Extension Agreements be enacted by City Council; and,

- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

5. Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1999 (FIN00017) (Revised) (Item 14)

AMENDED.

That the Statement of the Treasurer (General Manager, Finance) summarizing remuneration and expenses paid to members of Council and members of other bodies for the year 1999, as circulated to members of Council and available from the Legislative Assistant upon request, be received by City Council.

6. Supply and Delivery of Computer Supplies - Various Departments (FIN00015)(Item 15)

That a purchase order be issued to Computer Media Group, Mississauga to supply and deliver computer supplies to various departments for a period of one (1) 12-month term.

7. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-006 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (b) D-007 A By-law for confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - February 1, 2000 (Item 2)

That the minutes of the meeting of the Joint Meeting Session of the City Finance and Administration Committee and the Region Finance and Administrative Services Committee held on Tuesday, February 1, 2000 be adopted.

(c) **Delegation - Ralph Frisina, Spadar Developments Inc. (Item 8)**

The Committee received as information a delegation from Ralph Frisina, President, Spadar Developments Inc. respecting their proposed purchase of property at 171 Main Street East.

(d) **Proposed Property Exchange - 25 Hughson Street South and 171 Main Street East/Proposed Sale 171 Main Street East (CS00008)(Item 9)**

The Committee took no action on the staff recommendation to refer the Committee's motion accepting the Offer to Purchase by Spadar Development Inc. for property at 171 Main Street East to the Transition Board.

(e) **Financing of Demolition and Parkette Development of 25 Hughson Street South (FIN00018)(Item 9.1)**

This report was not applicable as the staff report on the main issue was not approved by the Committee.

(f) **Declaration of Surplus Property - 74 Hughson Street South, Hamilton (CS00006)(Item 11)**

Correspondence - L.A.C.A.C. - Request for Tabling (New Business #1)

In response to the request of L.A.C.A.C., the Committee agreed to table the declaration of surplus property at 74 Hughson Street South, Hamilton.

Alderman Caplan wished to be recorded as opposed to this tabling.

(g) **Requested Report Back - Mayor's Committee against Racism and Discrimination - Hamilton-Wentworth Interfaith Group request (Item 16)**

The Committee received the response from the Mayor's Committee against Racism and Discrimination that it does not support the establishment of a prayer room as described in the September 30, 1999 letter from the Hamilton Wentworth Interfaith Group.

(h) **Claim (CS00005)(Item 18.1)**

A motion to compensate to an amount of \$400 for damages resulted in a lost vote.

(i) Information Report - City Manager - Transition Board Regulations (CM00006)(New Business #2)

The Committee received the Information Report of the City Manager entitled "Transition Board Regulations (CM00006)".

Note: The Joint meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:45 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
February 15, 2000**

Appendix 1

The Purchaser covenants and agrees to proceed to redevelop the property for commercial and/or residential uses and will commence construction of a new building(s) with a minimum aggregate finished floor area above grade of 1,000 sq. metres (10,764 sq. feet), said new building(s) shall be commenced within 12 months and completed within 30 months from the date this transaction is completed.

If the Purchaser fails to comply with the conditions as set out above, within the time required, then the vendor shall have the option, which option is granted to the Vendor by the Purchaser for good and valuable consideration, to re-purchase the property and to receive a conveyance of it free and clear of all charges and encumbrances liens, claims or adverse interests whatsoever, and the Vendor agrees to pay to the Purchaser to original purchase price for the said lands, less the deposit, less the commission paid (if any) by the Vendor to a real estate agent; less arrears of realty taxes, penalty and interest (including local improvement charges), less amounts required to discharge any mortgages, liens, charges of other encumbrances against the said lands and less the costs of the Vendor incurred in entering on the land and retaking and reselling the land and without increase or compensation for any improvements, additions, alterations in, on or under the said lands.

The Purchaser acknowledges that the Vendor will be removing the existing parking lot equipment which in this instance includes the two parking ticket machines, the signs and their supports. The Purchaser agrees to assume the existing guardrails and light standards, which shall remain on the site after closing.

The Purchaser acknowledges that there is an existing Billboard single poster panel sign supported by a single steel post, located at the south east corner of the property near the intersection of Main Street and Ferguson Avenue. The Billboard advertising contract was recently tendered and awarded to Pattison Outdoor Advertising a division of Jim Pattison Industries Ltd. The Purchaser agrees to assume the existing license with Pattison Outdoor Advertising and to assume the terms of the Form of Quotation, Billboard Advertising at Various Municipal Carparks C11-1199 as set out in Schedule B attached hereto. The Vendor shall deliver to the Purchaser on or before closing an executed acknowledgement, executed by the Tenant, that their licence has not been modified and is in full force along with written directions to the tenant advising of the change of ownership and payment of future rent to the Purchaser.

The Vendor states and the Purchaser acknowledges that prior to the Vendor's acquisition of the property in 1968, the easterly portion of the site was used as a Pioneer service station and through the Vendor's investigation of said past use with the Ministry of the Environment, the Technical Standards and Safety Association, Fuel Safety Division (formerly Ministry of Consumer and Corporate Relations) and Pioneer Petroleum, it has been unable to reveal any further information. During or soon after the date the property was purchased by the Vendor, above ground service station improvements were removed, however, the underground 5,000 gallon fuel tank, as noted on plans on file with the City of Hamilton Building Department, may still be located on site. The plans indicate the location of this tank is approximately 15 feet to 30 feet from the easterly property boundary and 15 feet to 25 feet from the northerly property boundary.

Appendix 2**RIDER 1****TO AGREEMENT OF PURCHASE AND SALE
BETWEEN SPADAR DEVELOPMENTS INC., AS PURCHASER, AND
THE CORPORATION OF THE CITY OF HAMILTON, AS VENDOR,
FOR THE PURCHASE AND SALE OF PROPERTY KNOWN MUNICIALLY
AS 171 MAIN STREET EAST, HAMILTON, ONTARIO (THE "PROPERTY")****1. VENDOR'S PRE-CLOSING DELIVERIES**

Within 2 business days of the date of execution of this Agreement, the Vendor shall make available to the Purchaser each of the following relating to the Property as may be in the possession of the Vendor (collectively, the "Pre-closing Deliveries"):

- (a) any engineering, environmental or soil report, assessment or audit;
- (b) any existing survey;
- (c) any plan, drawing and specification for the improvements on the Property; and
- (d) ^{b.i.d} the licence in favour of Pattison Outdoor Advertising (the "Pattison Licence") and all material relating thereto.

The Purchaser shall be permitted to take copies of any of the Pre-closing Deliveries at its own expense. If this Agreement is not completed for any reason, the Purchaser shall immediately return all copies of the Pre-closing Deliveries to the Vendor. All Pre-closing Deliveries are made available to the Purchaser on the condition that the same be kept confidential and the Purchaser covenants and agrees not to disclose the contents thereof except to its principals, employees, consultants and advisors involved in reviewing this Agreement and the purchase of the Property, all of whom shall similarly be bound to keep the same strictly confidential, except for such disclosure as may be required by law.

2. PURCHASER'S INSPECTIONS

The Purchaser shall have access to the Property at any time and from time to time to conduct such inspections or testing, including drilling, as it deems necessary in order to satisfy itself in respect of the state of repair and condition of the Property, including, without limitation, the environmental and geotechnical condition of the Property (the "Inspections"). The Inspections and the entry of the Purchaser onto the Property shall be undertaken at the Purchaser's own risk and expense and shall not unduly or unreasonably interfere with the use and occupation of the Property by the Vendor and its tenants, invitees and licensees, if any. Immediately following completion of the Inspections, the Purchaser shall fully restore the Property to the state and condition it was in immediately prior to the Inspections. The Vendor authorizes and directs all authorities to release any information in respect of the Property to the Purchaser. If required, the Vendor shall execute any written authorization and/or direction which may be required by any such authority within a reasonable period following receipt of a format of the same with the written request of the Purchaser for execution of the same. The Purchaser shall indemnify the Vendor for any claim, loss or damage it may suffer or incur due to, arising out of or as a result of the Inspections or the entry of the Purchaser onto the Property. The results of the Inspections or the response to an enquiry by the Purchaser for release of information shall be kept strictly confidential by the Purchaser and shall not be disclosed by the Purchaser, except as may otherwise be required by law, to anyone other than to its principals, employees, consultants and advisors involved in reviewing this Agreement and the purchase of the Property all of whom shall similarly be bound to keep the same strictly confidential.

3. PURCHASER'S CONDITION

This Agreement is conditional (the "Purchaser's Condition") to and including the date which is 45 days from the date of execution of this Agreement (the "Condition Date") upon the Purchaser satisfying itself with each of the following:

- (a) the Pre-closing Deliveries;
- (b) the Inspections;
- (c) the results of the Purchaser's enquiries;

- (d) that the Purchaser can undertake the intended development of the Property subject to the Pattison Licence or that the Pattison Licence can be amended or terminated to permit the intended development.

The Purchaser shall act reasonably in satisfying itself with respect to the Purchaser's Condition. The Purchaser shall notify the Vendor on or before the Condition Date whether the Purchaser's Condition has been satisfied. In the event the Purchaser fails to notify the Vendor that the Purchaser's Condition has been satisfied or waived on or before the Condition Date the Purchaser's Condition shall be deemed to have been satisfied. In the event the Purchaser notifies the Vendor on or before the Condition Date that the Purchaser's Condition has not been satisfied or waived, then this Agreement shall be terminated, and the Deposit shall be returned to the Purchaser forthwith with accrued interest, if any, and without deduction. The Purchaser's Condition has been inserted in this Agreement for the sole benefit of the Purchaser and may be waived by it at any time.

4. LEASE BACK

The Purchaser shall lease the Property back to the Vendor for the Vendor's continued use of the same as a surface parking facility until such time as the Purchaser requires vacant possession of the Property for the purposes of its intended development. The Base Rent for the lease back shall be \$1.00. The Vendor shall be responsible for all other cost and expenses assessed against the Property and pertaining to its use thereof during the term of the lease back. The Vendor shall be entitled to all revenues from the Property during the term of the lease back. The Vendor shall vacate the Property upon not less than 30 days' notice by the Purchaser of its need for vacant possession for the purposes of its development.

5. NOTICE

Any notice under this Agreement shall be given in writing and shall be delivered by hand, sent by registered mail or transmitted by facsimile transmission to the address for each of the parties set out below or to such alternative address as may from time to time be designated by the parties, as the case may be:

if to the Vendor, at:

City of Hamilton and Region of Hamilton-Wentworth
Legal Services Section
Real Estate
71 Main Street East
Hamilton, Ontario
L8P 4Y5

Attention: Mr. Keith Anderson

Fax No.: (905) 546-4554

and if to the Purchaser, at:

Gowing, Strathy & Henderson
Commerce Court West
Suite 4900
Toronto, Ontario
M5L 1J3

Attention: Jon Venutti

Fax No.: (416) 862-7661

Any notice delivered personally shall be deemed to have been given and received on the date of delivery. Any notice delivered by registered mail shall be deemed to have been received on the 3rd business day following the date of mailing thereof save and except in the event of suspension of postal service or threatened postal disruption, in which case notice shall not be delivered by mail.

Any notice delivered by facsimile transmission shall be deemed to have been delivered on the business day immediately following the date of complete, legible transmission therefor.

6. PLANNING ACT

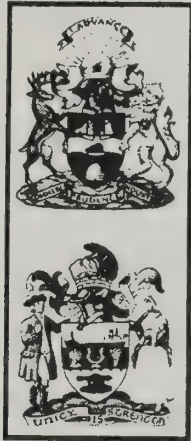
This Agreement is subject to the provisions of the Planning Act (Ontario), as same may be amended from time to time, and this Agreement shall be effective to create an interest in the Property only if such provisions are complied with by the Vendor prior to the Closing Date.

7. GENERAL

- (a) The headings of all sections or paragraphs herein are inserted as a matter of convenience and for reference only and in no way define, limit, describe or enlarge the scope, intent or meaning of this Agreement or any provisions hereof or the proper construction hereof;
- (b) The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts and individuals, male and female, shall in all cases be assumed as though in each case fully expressed. If there is more than one Purchaser, each of the covenants, agreements and obligations herein shall, as between and among each Purchaser, be deemed to be joint and several and the term "Purchaser" shall be read as if each Purchaser was specifically named and any default by one Purchaser shall be deemed to be a default by each Purchaser;
- (c) The words "hereto", "herein", "hereunder", "hereof", "hereby" and "this Agreement" and similar expressions mean or refer to the whole of this Agreement, including all of the Schedules attached hereto and not to any particular provision, section, paragraph or other portion of this Agreement, unless otherwise specifically provided for herein;
- (d) The expression "business day" means every day other than Saturday, Sunday and any statutory or government holiday recognized as such in the Province of Ontario. In the event that any date established by or stipulated in this Agreement or any date of termination of a period of time set forth or referred to in this Agreement shall fall upon a day which is not a business day, then such date shall be deemed to be the next following business day;
- (e) The expression "date of execution of this Agreement" means the date of acceptance of this Agreement by the parties, and in the event that this Agreement is presented as a counteroffer by one party to the other, the date upon which the last counteroffer is accepted by the party to whom the counteroffer is presented for acceptance;
- (f) This Agreement shall be interpreted in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein;
- (g) Time shall in all respects be the essence hereof;
- (h) Except as otherwise provided herein, this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns; and
- (i) This Agreement may be executed in counterparts, which together shall be considered the same document. Acceptance of this Agreement may be evidenced by the facsimile transmission of an originally-executed counterpart.

8. CONFLICT

In the event of conflict between any provision in this Rider 1 and any provision in the balance of this Agreement, the provision in this Rider 1 shall prevail.



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

Thursday, February 24, 2000
6:00 p.m.
Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman D. Haining, N. Mleczko, D. Drury

Regrets: Alderman B. Kelly

Also Present: Alderman A. Horwath, P. Lampman, D. Rose, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

THE CITY OF HAMILTON LICENSING COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. Michael Riley – Taxi Cab Driver Licence (Item 3(v))

That the Taxi Cab Driver Licence application of Michael Riley be granted subject to Mr. Riley submitting an updated criminal record to the Issuer of Licences on August 24, 2000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps.-1.

CARRIED.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes – January 13, 2000 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on January 13, 2000 be adopted.

(c) Michael Riley – Taxi Cab Driver Licence (Item 3(v))

The Licensing Committee met in camera to hold a Show Cause Hearing in this matter. Confidential background material pertaining to this matter was circulated to Members of Council under separate cover.

(d) Correspondence from Yachetti, Lanza & Restivo on behalf of Monopoli Restaurant and Nightclub Inc. respecting Licence Condition (Item 4(ii))

Committee was in receipt of a letter dated January 25, 2000 from Roger Yacchetti, solicitor for the Monopoli Restaurant and Nightclub Inc. regarding the interpretation of condition #3. After consultation with the Noise Control Officer, Supervisor of Licences, Councillor Horwath and members of the Committee it was agreed that there was a clear understanding that the condition was initially imposed for one month and was to be reviewed after the expiry of that period.

(e) Monopoli Restaurant Inc. (Syndicate) 52 James Street - Restaurant Licence (Item 4)

In accordance with Licensing Committee direction at its meeting of January 13, 2000 a written report was received from Licence Division staff with regard to the above noted establishment. Verbal updates were received from the police and noise control officer. Input was received from Ward Alderman Andrea Horwath and from the licence holders. A letter was also received from the President of the Syndicate Nightclub stating that construction on the windows, to further soundproof the building, will be completed by Friday February 25, 2000.

The Committee subsequently directed Licensing Staff as follows:

- (a) To report back to the Licensing Committee in one month's time with an assessment of the complaints received, including noise levels; and,
- (b) To maintain the 2:45 a.m. closing time until the next review in one month's time.

Alderman Dennis Haining was recorded as opposed to this action

- (f) **Other Business** (Item 5)

Taxi Plate Renewals

Doug Rose, Supervisor of Licences provided a verbal update on this issue stating that the requirement for taxi cab plate owners to renew their licence in person or submit a letter of appeal by February 29, 2000 had been complied with. The appeal period for taxi plate owners who do not hold a valid taxi-cab driver's licence is in effect until July 1, 2000.

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 6:50 p.m.

**Alderman Fred Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant,
February 24, 2000**



REPORT

CITY OF HAMILTON NOMINATING COMMITTEE

Tuesday, February 29, 2000

7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

THE NOMINATING COMMITTEE PRESENTS REPORT 02-00 AND
RESPECTFULLY RECOMMENDS:

1. Appointment of the Chairman of the Committee of the Whole

That Alderman C. Collins be appointed Chairman of the Committee of the Whole for the months of March, April and May, 2000.

Mayor R. M. Morrow, Chairperson
Nominating Committee

J.J. Schatz,
Municipal Clerk
February 29, 2000



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Tuesday, March 7, 2000
10:15 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
D. Haining, B. Morelli, D. Wilson, G. Copps,
C. Collins, F. Eisenberger, B. Charters, T. Jackson,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman D'Amico and seconded by Alderman Collins that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman D'Amico and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of a City Manager with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RESOLUTIONS

Appointment of City Manager; Demolition Permit for 65 Biggar Ave; and
Adoption of Bills E-003 and E-004

Re: Appointment of Acting City Manager

It was moved by Alderman D'Amico and seconded by Alderman Collins:

- (a) That Mr. James P. Bruzzese be appointed Acting City Manager for the City of Hamilton/Region of Hamilton-Wentworth, Salary Schedule A, Step 1 effective April 3, 2000 and terminating on December 31, 2000; and
- (b) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare the appropriate by-laws appointing Mr. Bruzzese to the position of Acting City Manager.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Wilson -1.

CARRIED.

Re: Adoption of Bills

It was moved by Alderman D'Amico and seconded by Alderman Collins

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

E-003 A By-law to Appoint a Chief Administrative Officer/City Manager for the Corporation of the City of Hamilton.

E-004 A By-law to Confirm the Proceedings of The Council of the Corporation of the City of Hamilton. **CARRIED.**

Re: Rule No. 9 - Demolition Permit - 65 Biggar Avenue

It was moved by Alderman Morelli and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a demolition permit for 65 Biggar Avenue.
CARRIED.

Re: Demolition Permit – 65 Biggar Avenue

It was moved by Alderman Morelli and seconded by Alderman Collins that the Building Commissioner be authorized to issue a demolition permit for 65 Biggar Avenue in accordance with By-law No. 74-290 pursuant to Section 33 of the Planning Act, as amended.
CARRIED.

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole on the resolution respecting the appointment of a City Manager and a Demolition Permit for 65 Biggar Avenue, be adopted.
CARRIED.

Hamilton City Council then adjourned at 10:35 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 7, 2000
JJS/dg**

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2000



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 14, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

APR 17 2000

GOVERNMENT DOCUMENTS

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman D. Haining – Other Business
Alderman B. Charters - Other Business

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Pastor Douglas McClain, led Council in prayer.

ADOPTION OF MINUTES

The Minutes of the meetings held February 29, 2000 (regular) and March 7, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated March 7, 2000 from Columbia International College, 1033 Main Street West, Hamilton for a modification to the "C" (Urban Protected Residential, etc.) District for property at 1015 Main Street West, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 05-00
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Rule No. 9 Re: Temporary Road Closure – 33 Bowen Street

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit the consideration of a resolution respecting Temporary Road Closure, 33 Bowen Street.

CARRIED.

Section 10 Re: Temporary Road Closure – 33 Bowen Street

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 10 of Report 05-00 of the Transport and Environment Committee:

10. Temporary Road Closure: Bowen Street

That the application of Slainte Irish Pub at 33 Bowen Street in Hamilton to temporarily close Bowen Street from Jackson Street to the limits of the Slainte property on Friday, March 17, 2000 between 11:00 a.m. and 11:00 p.m., to hold a St. Patrick's Day festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police, or his designate, be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region

harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss; and

- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police, or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application of Slainte Irish Pub for a temporary extension of its liquor licence to serve alcohol on the road allowance of Bowen Street from 11:00 am to 11:00 pm on March 17, 2000 and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event. **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 05-00

Section 1 (d) Re: Hamilton Children's Museum Expansion

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Copps. -1.

CARRIED.

Section 4 Re: Taste of Hamilton - Sale of Alcoholic Beverages, at Bayfront Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

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Section 5 Re: 2000 Special Events with Alcohol

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

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Section 6 Re: The Hamilton Tiger Cats Football Club - Alcohol

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 8 Re: Hamilton Plumber's Association Annual Hockey Tournament - Mountain Arena - April 7-8, 2000 - Sale of Alcoholic Beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 05-00

Section 10 Re: Demolition of 244 King Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. – 13.

NAYS: Aldermen Copps and Wilson.. -2.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 05-00

Section 3 Re: Development Charges By-law

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 3 of Report 05-00 of the Finance and Administration Committee respecting City of Hamilton Development Charges By-law Amendments be referred back in order that an additional clause and the appropriate By-law can be added at Committee and presented to City Council as a complete package. **CARRIED.**

Rule No. 9 Re: Introduction of Bills

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of the addition of the Bills for the Finance and Administration Committee. **CARRIED.**

Section 12 Re: Introduction of Bills

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 12 of Report 05-00 of the Finance and Administration Committee:

12. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-008 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (b) D-009 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Rule No 9 Re: Introduction of Bill D-010

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a By-law to provide for the more effective regulation of the activities of persons carrying on the business of a pedlar at locations adjacent to road allowances within the City of Hamilton. **CARRIED.**

Re: Section 12 (c) Added Bill

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following Bill be added as Sub-section (c) of Section 12 of Report 05-00 of the Finance and Administration Committee:

- (c) D-010 A By-law to provide for the more effective regulation of the activities persons carrying on the business of a pedlar at locations adjacent to road allowances within the City of Hamilton. **CARRIED.**

RESOLUTION

Millennium Funding Allocations

Rule No. 9 Re: Millennium Funding Allocations

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting Millennium funding allocations. **CARRIED.**

Re: Millennium Funding Allocations

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that

- (a) That Appendix "A" of Section 1 of the Mayor's Report 01-00 approved by City Council on Tuesday, January 25, 2000 be amended to:
 - (i) Recognize the withdrawal of a funding request from the Mothers Against Drunk Drivers in the amount of \$6,000; and
 - (ii) Reallocating this amount to the Canadian National Highland Games (the Hamilton Highland Games) for \$3,000. and to the Durand Neighbourhood Association Inc. (The Co-Operative Approach to Community Action) for \$3,000.
- (b) That the Mayor, on behalf of the Millennium Sub-Committee, forward this motion to the Minister of Citizenship, Culture and Recreation. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0. **CARRIED.**

Note: The meeting adjourned at 9:05 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 14, 2000
JJS/dg**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, March 6, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, T. Anderson, F. D'Amico

Also Present: Aldermen M. Caplan, G. Copps, B. Kelly
C. Guthro, M. Hazell, R. Meiers, K. Extance, B. Price, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. **By-law to Stop Up, Close and Sell a Portion of Cathcart Street and to Sell a Closed Portion of the east-west alley lying south of Barton Street and east of Cathcart Street (PWT00064) (Item 3.1)**

That an appropriate by-law be prepared to the satisfaction of Corporate Counsel to:

- (a) stop up, close and sell a portion of Cathcart Street on Registered Plan 287 designated as Parts 2, 3 and 5 on Plan 62R-14133; and,
- (b) sell the closed east/west alley, lying south of Barton Street and east of Cathcart, designated as Part 4 on Plan 62R-14133.

2. Hamilton Street Railway Annual Transit Shelter and Landing Pad Programs (TRA00006) (Item 5)

That the Region's Transportation Services Committee be advised that transit shelters be installed at the following locations:

- (a) Kenilworth Avenue North at Main Street East; and,
- (b) Barton Street East at Mary Street; and,
- (c) Barton Street East at Sanford Avenue; and,
- (d) Macklin Street North at Dufferin Street (Shalom Village); and,
- (e) Greenhill Avenue at Country Club Drive; and,
- (f) Garth Street, opposite No. 1440 Garth Street; and,
- (g) Upper Kenilworth Avenue, opposite Recalmuto Street.

3. Moratorium on Encroachment Fees in the Downtown Core (PWT00059) (Item 6)

- (a) That the moratorium on encroachment fees in the downtown core which was previously approved for the period of January 1, 1998 to September 1, 1999, be extended to December 31, 2000; and,
- (b) That the boundary of the downtown core for the exemption of encroachment fees for outdoor patio cafes be extended southerly to Herkimer Street and northerly to Burlington Street.

4. Proposed Construction Surface-Treated Roadways – Ferguson Avenue, from King William Street to Wilson Street; Howard Avenue, from South Bend to the North End (PWT00061) (Item 7)

- (a) That the General Manager, Transportation, Operations and Environment be authorized to undertake the construction of a finished roadway and associated sidewalk reconstruction on Ferguson Avenue between King William Street and Wilson Street and Howard Avenue between South Bend Road and the north end at an estimated cost of \$513,000 and \$249,000 respectively; and,
- (b) That these projects be funded from the 2000 Capital Budget, City's and Owner's Share of Locals (Residential); and,
- (c) That the proposed alteration of Ferguson Avenue North, between King William and Wilson Streets, to provide for road width varying from 8.5m to 12.7m, as shown on Appendix "A", be advertised under Section 300 of the Municipal Act, being Chapter M.45 of the Revised Statutes of Ontario 1990; and,

- (d) That the necessary By-law be prepared by the Acting Commissioner of Public Works and Traffic in a form satisfactory to Corporate Counsel and advertised by the Municipal Clerk.

5. Use of Pesticides (PWT00035) (Item 8)

- (a) That the Region's Environmental Services Committee be requested to undertake a public awareness/education component on the use of pesticides; and,
- (b) That a resolution to prohibit the use of pesticides for the Committee's review be formulated, to be submitted to the Annual Meeting of the Association of Municipalities of Ontario for consideration; and,
- (c) That staff bring a report back on the feasibility of installing an irrigation system at Bayfront Park; and,
- (d) That CUPE Local 5 be advised of City Council's decision.

6. Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – March 6, 2000 (PWT00060) (Item 9.1)

That the requests for routine amendments, attached hereto as Appendix "B", be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

7. Supply and Delivery of Traffic Sign Posts and Hardware (TOE00001) (Item 9.2)

That purchase orders be issued to:

McKeough Supply Inc., Hamilton, Ontario,
Modern Ornamental Iron Works, Hamilton, Ontario,
Bochek Fabricating Limited, Hamilton, Ontario,
Canada Kiosk Corporation, Grimsby, Ontario, and
Mechanical Advertising Inc., Oshawa, Ontario.

for the supply and delivery of traffic sign poles and hardware as and when required during 2000 by the Transportation, Operations and Environment Division, with an estimated expenditure in 2000 of approximately \$366,000 to be financed through the Traffic Signs Materials Account No. COHAM-53072-466130.

8. To Incorporate Certain Land into Various Streets by By-laws (TOE00002) (Item 9.3)

- (a) That the following City land be incorporated into the following streets:

Annabelle Street	Parts 4,5,7	Plan 62R11755
Centennial Parkway	Part 1	Plan 62R15214
Claudette Gate	Part 1	Plan 62R12354
Donnici Drive	Blk 32	Plan 62M-750
Dunsmure Road	Part 1	Plan 62R14682
Marilyn Court	Part2	Plan 62R14840
	Blk 22	Plan 62M-864
Townmansion Drive	Blks 56, 57,58	Plan 62M-836

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council.

9. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-010 A By-law to stop up, close and sell a portion of Cathcart Street and to sell a closed portion of the east-west alley lying south of Barton Street and east of Cathcart Street
- (b) A-011 A By-law to incorporate City land designated as Parts 4, 5 and 7 on Plan 62R011755 into Annabelle Street
- (c) A-012 A By-law to incorporate City land designated as Part 1 on Plan 62R-15214 into Centennial Parkway
- (d) A-013 A By-law to incorporate City land designated as Part 1 on Plan 62R-12354 into Claudette Gate
- (e) A-014 A By-law to incorporate City land designated as Block 32 on Plan 62M-750 into Donnici Drive
- (f) A-015 A By-law to incorporate City land designated as Part 1 on Plan 62R-14682 into Dunsmure Road
- (g) A-016 A By-law to incorporate City land designated as Part 2 on Plan 62R-14840 and Block 22 on Plan 62M-864 into Marilyn Court
- (h) A-017 A By-law to incorporate City land designated as Blocks 56,57 and 58 on Plan 62M-836 into Townmansion Drive

- (i) A-018 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

10. Temporary Road Closure: Bowen Street

That the application of Slainte Irish Pub at 33 Bowen Street in Hamilton to temporarily close Bowen Street from Jackson Street to the limits of the Slainte property on Friday, March 17, 2000 between 11:00 a.m. and 11:00 p.m., to hold a St. Patrick's Day festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police, or his designate, be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police, or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the Alcohol and Gaming Commission of Ontario (ACGO) be advised that the City of Hamilton is aware of the application of Slainte Irish Pub for a temporary extension of its liquor licence to serve alcohol on the road allowance of Bowen Street from 11:00 am to 11:00 pm on

March 17, 2000 and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event. **ADDED.**

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - February 21, 2000 (Item 2)

That the Minutes of the meeting of the Transport and Environment Committee held on February 21, 2000, be adopted.

(c) Public Meeting By-law to Stop Up, Close and Sell a Portion of Cathcart Street and to Sell a Closed Portion of the east-west alley lying south of Barton Street and east of Cathcart Street (PWT00064) (Item 3.1)

In accordance with the requirements of the Municipal Act, the proposed closure was advertised in the Spectator for four consecutive weeks. The Chairman requested if there was anyone present wishing to address this issue, to which there were none.

(d) Cleaning Equipment – Sidewalks (Item 4)

Mayor R. Morrow expressed concern that with the arrival of spring, litter from the winter months is becoming very evident in areas of the City. As a result of the Mayor's concerns, the following directions are to be undertaken by staff:

- (i) That staff report bring a report back to the Transport and Environment Committee on the following issues:
 - 1. developing a strategy for an overall cleanup of the City, (including areas such as railway rights-of-way, abutting hydro corridors, on/off ramps), on an on-going basis, involving staff, political and volunteer (i.e., Boy Scouts, Girl Guides, Rotary Clubs, schools, etc.) participation; and,
 - 2. sidewalk cleaning equipment currently being used for clean up; and,
- (ii) That appropriate staff of the Building Department be directed to prepare a by-law which would address the enforcement of owners to maintain their properties in a clean and neat fashion, for the consideration of the Transport and Environment Committee.

Alderman C. Collins advised that representatives from the "Keep Hamilton Clean" Committee have requested an opportunity to address the Committee, and will be scheduled at a later date.

**(e) Moratorium on Encroachment Fees in the Downtown Core (PWT00059)
(Item 6)**

That staff be requested to bring a report back to the Committee on what financial effect the moratorium on encroachment fees for outdoor patio cafes would have if extended beyond the downtown core (e.g., Ottawa Street, Concession Street).

Alderman T. Anderson wished to be recorded as opposed to the main motion as referred to in Section 3.

(f) Other Business (Item 10)

(i) Hess Village

Alderman A. Horwath requested that staff, in consultation with the Special Events Advisory Team, merchants and community representatives, develop site specific restrictions/guidelines for special events/festivals in Hess Village, taking into consideration road closure requirements, frequency of events/festivals, etc., and report back to the Committee.

(ii) Rennie Street Landfill Site

At the request of Alderman D. Wilson, staff provided the Committee with an update of the condition of the silt fences at the Rennie Street Landfill Site.

(g) Information Items (Item 9.4)

That the following items be received:

- (i) Winter Operations – January 1 to February 20, 2000 (PWT00063)**
- (ii) Recovery of Costs Associated with the Enforcement of By-law 85-159 respecting "Collectible Waste" (PWT00056)**
- (iii) Requests to Remove Through Street Designations (PWT00044)**

Note: Alderman M. Kiss requested that the removal of the through street designation on Aberdeen Avenue, between Longwood Road and Dundurn Street, be placed on the next agenda of the Transport and Environment Committee.

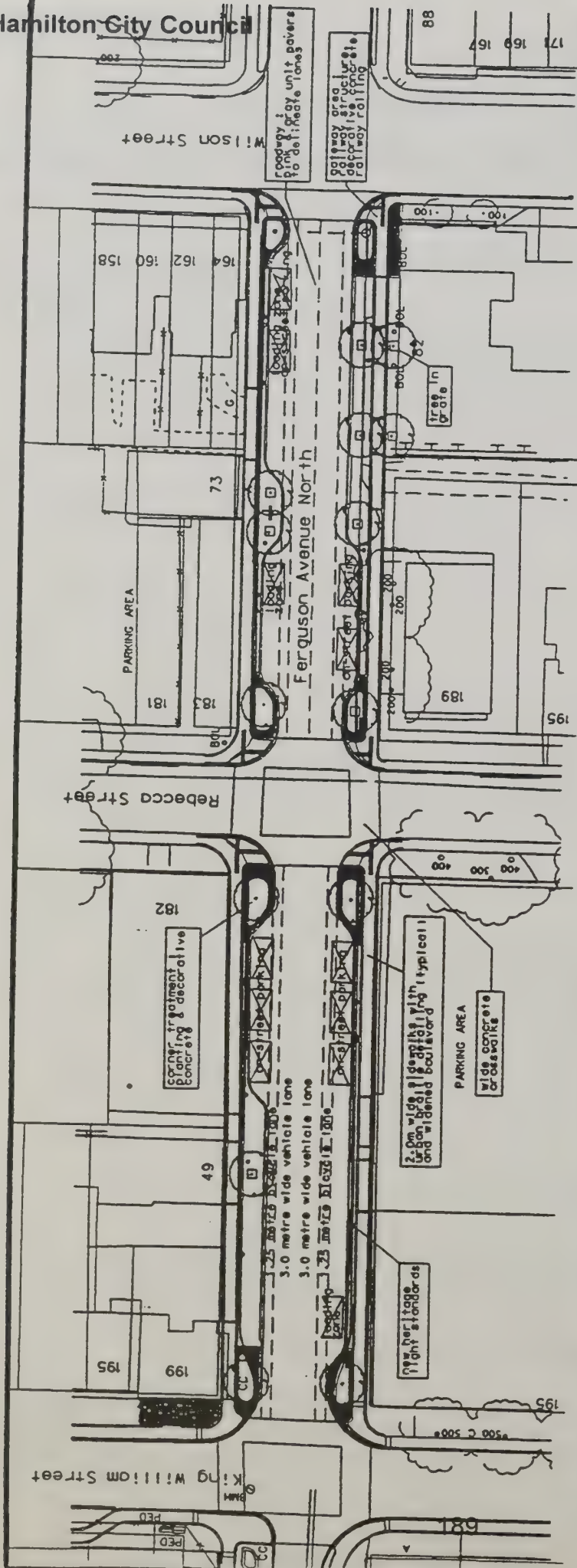
(iv) Methyl Tertiary Butyl Ether (PWT00062)

Note: The meeting of the Transport and Environment Committee adjourned at 11:00 a.m.

Alderman C. Collins, Chairman
Transport and Environment Committee

Carolyn Biggs
Legislative Assistant
March 6, 2000

Appendix "A" as referred to in
Section 1 of Report 05-00 of the
Transport and Environment
Committee



Appendix "A" as referred to in
Section 1 of Report 05-00 of the
Transport and Environment
Committee

Fergusson Avenue Revitalization
King William Street to Wilson Street

Preliminary Streetscape Concept

**Appendix "B" as referred to in
Section 6 of Report 05-00 of the
Transport and Environment
Committee**

Ward 1

- (a) Yolanda Lasardo has requested that the existing reserved "Permit Parking" regulation on the south side of Florence in front of her mother's home at 149 Florence Street be removed as the tenants have moved and the space is no longer required.
- (b) Mike Lulgiuraj, 151 Emerson Street, has requested that the existing "No Parking" loading zone on the south side of Royal, adjacent to his business be removed as it is no longer required.

Ward 2

- (a) The Hamilton-Wentworth Regional Police Service has requested that the four parking meters on the north side of King William, directly in front of the Texas Border Bar and Grill be replaced with a full-time "No Parking" regulation to alleviate the congestion caused by motorists that "double park" in the late evening.

Ward 3

- (a) Staff has received a request from Alderman Bernie Morelli on behalf of the owner of Duarte's Grocery, 417 Barton Street East, that the first two parking meters on the west side of Cheever, north of Barton, adjacent to his business be replaced with a "No Parking" loading zone.
- (b) Mrs. Gulley, 103 Gibson Avenue, has requested that the existing reserved "Permit Parking" regulation on both sides of Gibson, implemented for her use, be removed as she has moved.
- (c) Staff has received a petition signed by 11 of the 18 homes abutting Lorne between Afton and Maplewood requesting that the existing "Permit Parking, 8:00 am to 5:00 pm, Monday to Friday" regulation on the east side of Lorne be extended to a full-time "Permit Parking" regulation. Staff has contacted an additional three residents. Twelve residents are in favour of extending the hours of the regulation, one is opposed and one has no opinion.
- (d) Staff has received a petition requesting that the existing "Permit Parking" regulation on the south side of Lloyd between Gage and Chapple be removed to allow unrestricted parking. The petition was signed by representatives of seven of the nine properties abutting the block, all of whom support the request.

- (e) Mrs. Joan Henderson, 31 Oak Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Oak directly in front of her home since she is disabled.
- (f) Joanne Kendall, 14 Oak Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Oak directly in front of her home since her mother is disabled.
- (g) Staff has received a request from Ms. Beverly Thompson, 192 Cumberland Avenue, that a reserved "Permit Parking" regulation be implemented on the south side of Cumberland, directly in front of her home, for use by her mother who is disabled.
- (h) Last year, staff received a request from Amcan Castings Ltd., 10 Hillyard Street, that a full-time "No Parking" regulation be implemented on the west side of Hillyard between Brant and Munroe, directly in front of their property. Report TEC-099-99 concerning this request was tabled by Alderman Bernie Morelli at the Transport and Environment Committee meeting on April 19, 1999, until such time that concerns expressed by area residents were resolved. Area residents and representatives from Amcan Castings Ltd. have agreed to allow a 45-foot section on the west side of Hillyard at the southerly end of the block to remain as unrestricted parking.

Ward 4

- (a) Mrs. Sullivan, 15 Edgar Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Edgar in front of her home, since her husband is disabled.
- (b) Gail Marshall, 66 Park Row North, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Park Row in front of her home, since her husband is disabled.

Ward 6

- (a) Aldermen Tom Jackson and Bob Charters have advised of a request from Denise Rackus and Abe Friesen, Board of Directors, 1675 Upper Gage Avenue, that a full-time "No Parking" regulation be implemented on the east side of Upper Gage between Rymal and Ossington, to facilitate two-way traffic flow and driveway movements.
- (b) Staff has received a petition requesting that the existing "No Parking, 8:30 am to 6:00 pm, Monday to Friday" regulation and the full-time "No Parking" regulation on both sides of Rosanne between Palmer and the westerly end be replaced by a "Permit Parking, 9:00 am to 5:00 pm, Monday to Friday" regulation. The petition has been signed by representatives of 19 of the 27 properties abutting the block, all of whom support the requested change. A maximum of 15 permits can be issued to the residents.



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

Monday, March 6, 2000

1:15 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Alderman B. Morelli (Chairperson)
Alderman M. Kiss (Vice-Chairperson)
Mayor R. M. Morrow
Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson,
T. Anderson, D. O'Sullivan

Also Present:

Aldermen M. Caplan, C. Collins, F. D'Amico, Mayor A. Bain,
K. Duncliffe, C. Guthro, B. Chrystian, R. Zbucki, D. Collins,
G. Makins, C. Secore, S. Merlo-Orzel, Chief K. Robertson,
K. Beattie, B. Price, S. Dembe, S. Gibson, C. McCann, R. McKee,
D. Beland, B. Bain, C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. **The Hamilton Children's Museum Future Expansion (CSC00011) (Item 3.2(b))**
 - (a) That City Council express, in principle, support for the future expansion of the Hamilton Children's Museum; and,
 - (b) That authorization be given to the Friends of the Hamilton Children's Museum to initiate a fundraising plan for an expanded facility providing the plan is pre-approved by Council; and,
 - (c) That staff be authorized and directed to prepare a capital project submission for Council in the 2001-2010 capital budget project with the amount net of any funding efforts; and,

- (d) That the Friends of the Hamilton Children's Museum and staff be authorized to explore opportunities for expanding the Hamilton Children's Museum in the north-east area of Gage Park.

Recorded vote on Section 1 (d).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Copps. -1.

CARRIED.

2. Crematorium/Visitation Centre (PWT00053) (Item 5)

That the Acting Commissioner of Public Works and Traffic be authorized to issue a new Request for Proposal for the purpose of a joint venture between the public and private sectors for the construction and operation of a Crematorium/Visitation Centre.

3. Leash Free Area (PWT00050) (Item 6)

- (a) That the Acting Commissioner of Public Works and Traffic or his designate be authorized to finalize arrangements with the SPCA for the reimbursement of City costs incurred in 1999 for development of the leash free project adjacent to the SPCA headquarters on Dartnall Road; and,
- (b) That such reimbursement of the City by the SPCA shall be made from the funds generated by the \$1 increase in the price of dog tags, called "surcharge revenues" (as detailed in the Leash-Free Zones Project Report dated November 13, 1998) from the 1999 dog tag sales following completion of the SPCA's financial audit for 1999 and such other sources as may be determined by the SPCA; and,
- (c) That to the extent that any financial obligations for reimbursement as set out in (a) and (b) above, remain outstanding after initial payment by the SPCA any such obligation shall be paid to the City from surcharge revenues from 2000 dog tag sales following completion of the SPCA's financial audit for 2000; and,
- (d) That the Mayor and the Municipal Clerk be authorized and directed to execute an agreement with the SPCA for this leash free project, covering such issues as liability, maintenance, financial responsibilities, and project administration, such agreement to be in a form satisfactory to the Acting Commissioner of Public Works and Traffic and to Corporate Counsel; and,

- (e) That the Mayor and the Municipal Clerk be authorized and directed to execute an agreement with the SPCA providing for the payment by the SPCA to the City of surcharge revenues collected following the completion of reimbursement as described in Report PWT00050 for the purposes of generating a source of revenue for the creation of additional leash-free projects within the City of Hamilton, such agreement to be in a form satisfactory to the Acting Commissioner of Public Works and Traffic and to Corporate Counsel.
4. **Taste of Hamilton - Sale of Alcoholic Beverages, Parking Vehicles and Amusement Rides at Bayfront Park (CSC00028) (Item 7)**
- (a) That approval, as required by Sections 11 and 29 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to Greenshine Promotions and Yellowhead Kemp Association to sell alcoholic beverages, park vehicles and hold carnival rides at The Taste of Hamilton event in Bayfront Park, from June 22-25, 2000 inclusive; and,
- (b) That the licensed tent area at The Taste of Hamilton event operate during the following hours:
- | | | |
|----------|---------|-------------------------|
| Thursday | June 22 | 4:00 p.m. -11:00 p.m. |
| Friday | June 23 | 4:00 p.m. -11:00 p.m. |
| Saturday | June 24 | 12:00 noon - 10:00 p.m. |
- (c) That an entrance fee of \$2 per day and a weekend pass of \$5 (for unlimited entrance) be permitted to be charged of participants to enter the enclosed festival grounds of Bayfront Park over the duration of The Taste of Hamilton event; and,
- (d) That a parking fee of \$5 be permitted to be charged to park vehicles in Bayfront Park during The Taste of Hamilton event.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

5. **2000 Special Events with Alcohol and Parking Vehicles in a Park - Request for Approval under Parks By-law 95-126 as amended (CSC00027) (Item 8)**

That approval, as required by Section 11, to sell alcoholic beverages, and Section 29, to park vehicles in a park, of Parks By-law No. 95-126, and under

the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations:

- (a) Canadian Society of Association Executives – Trillium Chapter – Commonwealth Square, June 7, 2000, 11:30 a.m. – 1:30 p.m. to hold an outdoor BBQ.
- (b) Hamilton Pride Committee, June 10, 2000, noon – 11:00 p.m. - Dundurn Park Pavilion to hold a picnic and dance.
- (c) The Portuguese Association of St. Michael the Archangel of Hamilton, June 16-18, 2000 - Dundurn Park, noon – 11:00 p.m., to hold their annual festival.
- (d) Hamilton Folk Arts Heritage Council, It's Your Festival – Gage Park - June 30-July 3, noon – 11:00 p.m.
- (e) The Greater Hamilton Chinese Dragon Boat Race Society – Bayfront Park - July 8 and 9, 2000, noon – 11:00 p.m. to hold annual Dragon Boat Races.
- (f) Hamilton and District Labour Council – September 4, 2000, noon - 10:00 p.m. in Dundurn Park Pavilion to hold Annual Labour Parade/Picnic.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Alderman Jackson -1.

CARRIED.

6. The Hamilton Tiger Cats Football Club - Alcohol and Fireworks in a Park - Request for Approval (CSC00026) (Item 9)

That approval, as required by Section 17 (01) and Section 26 of the Fireworks By-law No. 90-198, Section 5 and Section 11 of Parks By-law No. 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be granted to the Hamilton Tiger Cat Football Club (1097694 Ontario Limited) to hold fireworks displays in Ivor Wynne Stadium and sell alcohol in Brian Timmis Stadium on the following game days:

Wednesday, June 21	5:30 p.m. - 7:00 p.m.
Friday, July 7	5:30 p.m. - 7:00 p.m.
Friday, July 21	5:00 p.m. - 7:00 p.m.

Friday, August 4	5:30 p.m. - 7:00 p.m.
Friday, August 18	5:30 p.m. - 7:00 p.m.
Monday, September 4	11:00 a.m. - 12:30 p.m.
Saturday, September 23	12:00 noon - 1:30 p.m.
Saturday, September 30	12:00 noon - 1:30 p.m.
Friday, October 13	5:30 p.m. - 7:00 p.m.
Sunday, November 5	2:00 p.m. - 3:30 p.m.
Sunday, November 12	11:00 a.m. - 12:30 p.m.
Sunday, November 18	11:00 a.m. - 12:30 p.m.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

7. Approval as Required by Parks and Fireworks By-laws - Various Fireworks Displays and Amusement Rides in Parks (CSC00025) (Item 10)

That approval, as required by Section 26 of the Fireworks By-law No. 90-198, Section 5 and Section 11 of the Parks By-law No. 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be granted to the following organizations to hold fireworks displays, park vehicles and hold carnival rides in a park:

- (a) Communita Racalmutese Maria SS del Monte (Racalmutese Festival) June 16 -18, 2000 in Bayfront Park from 11:00 a.m. - 11:00 p.m.; and,
- (b) Festa S. Antonio di Padova (St. Anthony's Feast) June 18, 2000 in Ivor Wynne Stadium from 11:00 a.m. - 11:00 p.m.; and,
- (c) That a City of Hamilton Noise By-law Officer monitor these events as deemed necessary by the Acting Commissioner of Public Works and Traffic.

8. Hamilton Plumber's Association Annual Hockey Tournament - Mountain Arena - April 7-8, 2000 - Sale of Alcoholic Beverages (CSC00023) (Item 11)

That approval be granted to the Hamilton Plumber's Association to sell alcoholic beverages in Mountain Arena on April 7 and 8, 2000 from 12:00 p.m. - 12:00 a.m. by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Alderman Jackson -1.

CARRIED.

9. Hamilton Senior Games Golf Tournament - Chedoke - Martin Golf Course - May 8, 2000 - Waiving of Green Fees (CSC00022) (Item 12)

That the General Manager of Community Services be authorized to waive green fees in order to host the annual Hamilton Senior Games Golf Tournament at Chedoke – Martin Golf Course on May 8, 2000 (rain or shine).

10. Canadian Open Wheelchair Tennis Championships - Rosedale Tennis Club - June 21-25, 2000 (CSC00030) (Item 13)

(a) That City Council authorize a grant in the amount of \$9,000 to the Ontario Wheelchair Sports Association to host the Canadian Open Wheelchair Tennis Championships to assist with the costs in hosting this Championship, to be held in Hamilton and surrounding area from June 21 – 25, 2000; and,

(b) That the Finance and Administration Committee recommend a method of financing on the basis that this is a conference with municipal subject content and, therefore, eligible for financial support.

11. Application for a Youth Wage Subsidy Grant from Cultural Careers Council Ontario for the Purpose of Hiring a Conservation Technician Intern - Cultural Branch (CSC00017) (Item 14)

That the General Manager of Community Services be authorized to apply for a provincial grant in the amount of \$5,775 from Cultural Careers Council Ontario through their Youth Wage Subsidy program for the purpose of hiring an intern to work with the City's staff Conservator on preventive and treatment conservation projects for the benefit of the five City of Hamilton Museums.

12. Cultural Careers Council Ontario Funding Assistance Grant for City of Hamilton Museums' Collection Management Project (CSC00018) (Item 15)

That the General Manager of Community Services be authorized to apply for a provincial grant from the Culture Career Initiatives in Culture Program (CICP), Cultural Careers Council Ontario in the amount of \$50,000 for the purpose of creating a computerized database artifact cataloguing system for the five City Museums and Public Art Collection.

13. Dundurn National Historic Site Name Change (CSC00013) (Item 16)

That the practice of referring to the site comprising Dundurn and Harvey Parks as Dundurn National Historic Site be formally adopted.

14. Canadian Pacific Heritage Fund Grant Application - Hamilton Museum of Steam and Technology - Made in Hamilton Heritage Project (CSC00015) (Item 17)

- (a) That authorization be given to the General Manager of Community Services to submit a grant application requesting an amount of \$30,000 from the Canadian Pacific Heritage Fund for a project to enhance the Toronto, Hamilton and Buffalo Railway (T.H.&B.) collection at the restored GO Transit terminal and expand the offerings of the Made in Hamilton Heritage Project; and,
- (b) That a letter of understanding be initiated between the City of Hamilton, T.H.&B. pensioners and GO Transit for long term preservation and communication of the T.H.&B. Collection.

15. Community Arts Ontario Conference - May 5-7, 2000 (CSC00031) (Item 18)

- (a) That the Chair or designate of the Arts Advisory Commission be authorized to attend the Community Arts Ontario Conference to be held May 5-7, 2000 in North Bay; and,
- (b) That the Conference costs in the estimated amount of \$650 be financed through the Legislative Travel Account No. COHAM 56325 300120.

16. Appointment of Members to the Arts Advisory Commission (CSC00033) (Item 19)

That the following be appointed to the Arts Advisory Commission to serve for a term ending November 30, 2000:

- (a) Arts Organizations representatives:
 - Brenda Faloney – Theatre Aquarius
 - Steven Loft – Native Indian/Inuit Photographers' Association
 - Richard Birney-Smith – Te Deum Orchestra and Singers
 - Catherine Pead – Ontario Workers Arts and Heritage Centre
 - Peter Rogers – Hamilton Public Library Board
 - Gord Conroy – Theatre Ancaster
 - Brian Bennett – Art Gallery of Hamilton

- (b) Hamilton Region Arts Council representative:
Patti Beckett

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest** (Item 1)

None declared.

(b) **Adoption of Minutes** (Item 2)

That the following Minutes of the Parks and Recreation Committee be adopted:

- (a) January 31, 2000 (Item 2.1)
- (b) February 8, 2000 (Special Meeting) (Item 2.2)
- (c) February 29, 2000 (Special Meeting) (Item 2.3)

(c) **Presentations/Delegations** (Item 3)

(i) **Hamilton Girls' Hockey Association - Sue Gibson** (Item 3.1)

The Committee was in receipt of a letter dated February 6, 2000 from Sue Gibson expressing her concerns that the Hamilton Girls' Hockey Association has been treated unfairly over the past eight years respecting the allocation of ice time in the City.

Sue Gibson was in attendance to review her letter and requested that the Association's request for ice time for 2000/2001 be granted.

Following considerable discussion on this matter, the Committee approved the following:

That the Director, Culture and Recreation Department, be requested to prepare a report for the next meeting, addressing the concerns raised in Sue Gibson's letter of February 6, 2000 respecting the current status of ice time allocation, how the rules are applied and if any changes are needed to improve this system so that everyone is treated fairly.

A subsequent motion was made as follows:

That the City pay the difference in costs, in the approximate amount of \$816, as a result of the Hamilton Girls' Hockey Association having to rent ice time in Dundas to hold its annual tournament.

Motion Lost.

(ii) **The Hamilton Children's Museum Future Expansion (Item 3.2)**

Carolyn McCann, President, Friends of the Hamilton Children's Museum, appeared before the Committee to present the Friends' Annual Report and Work Plan and to provide an overview of the purpose and objections of the organization.

Diane Collins, Curator, was also in attendance and reported on the studies that have been done to date on the Children's Museum and the need for an expanded facility.

The Committee approved Report CSC00011 from the Hamilton Historical and received the Work Plan as circulated.

Alderman G. Copps was recorded as opposed to subsection (d) of the recommendation.

(iii) **Partnership Proposal for Norman "Pinky" Lewis Recreation Centre - Bill Bain, Hamilton East Community Services (Item 3.3)**

Bill Bain and Suzanne O'Grady, Hamilton East Community Services, appeared before the Committee and provided an overview of their organization and their proposal to partner with the City in providing a range of programs and social services to children and youth at the Norman "Pinky" Lewis Recreation Centre.

Chief Ken Robertson, Hamilton-Wentworth Regional Police, was also in attendance to voice his support for a three-year pilot project.

Given that a number of details still had to be worked out on this proposal, the Committee approved the following:

That the Director, Culture and Recreation Department, be given the authority to explore this matter further with representatives of the Hamilton East Community Services and report back to the Committee with written details of this proposal.

(d) **Referral from City Council (Item 4)**

Walker Pool Redevelopment - Additional Project Inclusion in 2000 Capital Budget (CSC00008)

This item was tabled to the next meeting.

(e) **Crematorium/Visitation Centre (PWT00053) (Item 5)**

Aldermen M. Kiss and G. Copps were recorded as opposed.

- (f) **Taste of Hamilton - Sale of Alcoholic Beverages, Parking Vehicles and Amusement Rides at Bayfront Park (CSC00028) (Item 7)**

Alderman T. Jackson was recorded as opposed.

- (g) **2000 Special Events with Alcohol and Parking Vehicles in a Park - Request for Approval under Parks By-law 95-126 as amended (CSC00027) (Item 8)**

Alderman T. Jackson was recorded as opposed.

- (h) **The Hamilton Tiger Cats Football Club - Alcohol and Fireworks in a Park - Request for Approval under Parks By-law 95-126 as amended (CSC00026) (Item 9)**

Alderman T. Jackson was recorded as opposed.

- (i) **Hamilton Plumber's Association Annual Hockey Tournament - Mountain Arena - April 7-8, 2000 - Sale of Alcoholic Beverages (CSC00023) (Item 11)**

Alderman T. Jackson was recorded as opposed.

- (j) **Information Items (Item 20)**

That the following items (a-d) previously distributed to Members of Committee under separate cover, be received:

- (a) **Friends of Gage Park Activities in Gage Park (CSC00024)**
- (b) **Making the Connection - Hamilton Harbour Waterfront Trail Project Update February 2000 (PWT00052)**
- (c) **Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meetings held December 7, 1999 and January 10 and 31, 2000**
- (d) **Chedoke Winter Sports Park - End of Season - Sunday, February 27, 2000 (CSC00032)**

- (k) **Other Business (Item 21)**

Scott Park Hockey Association

The Committee was in receipt of a letter dated March 2, 2000 from the President, Scott Park Hockey Association, requesting a change to the meeting date established by the Committee at the last meeting to discuss the results of the Insurance Review of the Scott Park Minor Hockey Association.

Alderman M. Kiss placed a motion on the floor that the meeting be rescheduled to March 14, 2000 at 6:30 p.m. prior to City Council, however, no seconder was found.

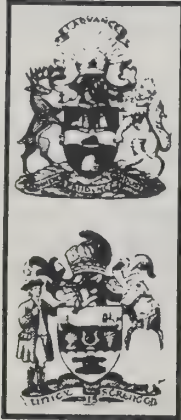
The Committee reconfirmed that this meeting would be held on Monday, April 3, 2000 at 6:00 p.m.

Alderman M. Kiss was recorded as opposed to holding this meeting on April 3rd.

Note: The meeting of the Parks and Recreation Committee adjourned at 3:10 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
March 6, 2000**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, March 8, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman Morelli, L. Coveyduck, G. Paparella, P. Mason, P. Mallard, A. Zuidema, G. Paparella, P. Lampman, A. Zuidema, H. Milsome, E. Switinky, E. Chajka, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. ZAC-99-25, Lands located west of Hawkswood Trail, south of Falconridge Drive and east of Hamilton City (PDC00050) (Item 2.1)

That approval be given to Zoning Application ZAC-99-25 Rehoboth United Reformed Church, owner, for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified (Block "1") and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "2") for lands located west of Hawkswood Trail, south of Falconridge Drive and east of the Hamilton City limits as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9. of Zoning By-law No. 6593, applicable to Block "1" be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 9.(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - 1. a Church, Sunday School, or other place of worship, with or without a parish hall; and,
 - 2. a single detached dwelling accessory to a Church or other place or worship.
- (ii) Except for the accessory single detached dwelling permitted under Section (b)(i)2., no vehicular access shall be permitted from Falconridge Drive or Hawkswood Trail;
- (iii) A visual barrier not less than 1.8 metres and not more than 2.0 metres in height shall be provided and maintained, except for points of access, along any lot line abutting a "C" District.
- (c) That the Corporate Counsel be directed and authorized to prepare separate By-laws for Blocks "1" and "2" to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council;
- (d) That the amending By-law for Block "1" be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1442, and that the subject lands on Zoning District Maps E-38C and E-38D be notated as S -1442;
- (e) That the implementing By-law for Block "1" not be presented to City Council for adoption until such time as:
 - (i) the applicant and/or land owner has submitted, to the satisfaction of the Director, Land Development Department and Corporate Counsel, all of the required documentation to provide for permanent vehicular access, in perpetuity, from the subject lands to Glancaster Road through the Ontario Hydro corridor to the west of the subject lands from the following agencies: Ontario Hydro; Bell Canada; TransCanada PipeLines; the Township of Glanbrook; and, the Hamilton Region Conservation Authority;
 - (ii) the applicant/owner applying for and receiving approval for an access agreement to Glancaster Road to the satisfaction of the General Manager, Transportation, Operations and Environment Division; and
 - (iii) the applicant/owner has demonstrated to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, the General Manager, Transportation, Operations and Environment Division, and the

Supervisor of Traffic Studies/Traffic Technologists, Traffic Division, Transportation, Operations and Environment Division, that the proposed extension of Falconridge Drive westerly to connect to Glancaster Road is no longer required;

- (f) That upon finalization of the implementing zoning by-law for Block "2", the approved Carpenter Neighbourhood Plan be amended to redesignate Block "2" from "Civic & Institutional" to "Single & Double" Residential;
- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

2. ZAC-99-28, Lands located East of Glancaster Rd., West of Hawkswood Trail at the westerly limits of Falconridge Dr. and south of Rymal Rd. W. (PDC00051) (Item 2.2)

That approval be given to Amended Zoning Application ZAC-99-28 Jomar Development Corporation Inc. (c/o J. Kutlesa), owner, for changes in zoning from "AA" (Agricultural) District to "RT-20" – 'H' (Townhouse – Maisonette - Holding) District (Block "1") and from "C" (Urban Protected Residential, etc.) District to "RT-20" – 'Holding' (Townhouse – Maisonette – Holding) District (Block "2") to permit condominium townhouse units on lands located east of Glancaster Road, west of Hawkswood Trail at the westerly limits of Falconridge Drive and south of Rymal Road West as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "RT-20" – 'Holding' (Townhouse – Maisonette - Holding) District;
- (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" – 'Holding' (Townhouse – Maisonette - Holding) District;
- (c) That the "RT-20" (Townhouse - Maisonette) District regulations, contained in Section 10E. of Zoning By-law No. 6593, applicable to Blocks "1" and "2" be modified to include the following variances as special requirements:
 - (i) No vehicular access shall be permitted from Falconridge Drive;
 - (ii) A visual barrier not less than 1.8 metres and not more than 2.0 metres in height shall be provided and maintained, except for points of vehicular access, along any lot line abutting a "C" District;
 - (iii) That notwithstanding Section 10E.(7)(a) of Zoning By-law No.

6593, a maximum of 25 townhouse units shall be permitted;

- (iv) That notwithstanding Section 10E.(3) of Zoning By-law No. 6593, no building or structure, within the district shall exceed 1½ storeys, and no structure shall exceed 9.5 metres in height; and,
 - (v) That Section 4.(3)(b) of Zoning By-law No. 6593 shall not apply to the subject lands provided that a right-of-way for vehicular access from the subject lands to Rymal Road West has been established and registered on title; and,
 - (vi) That in addition to the requirements of Section 10E.(10) of Zoning By-law No. 6593, an area landscaped with a planting strip of not less than 3.0 metres in width shall be provided and maintained along the northerly lot line.
- (d) That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed "RT-20" (Townhouse - Maisonette) District applicable to Blocks "1" and "2". The holding provision will prohibit the development of the subject lands, referred to in sections (a) and (b), until such time as the following conditions have been satisfied:
- (i) the applicant and/or land owner has submitted, to the satisfaction of the Director, Land Development Department and Corporate Counsel Solicitor, all of the required documentation to provide for permanent vehicular access, in perpetuity, from the subject lands to Rymal Road West through the Ontario Hydro corridor to the west of the subject lands from the following agencies: Ontario Hydro; Bell Canada; the Township of Glanbrook; the Town of Ancaster; and, the applicable Conservation Authority;
 - (ii) all required documentation has been submitted, to the satisfaction of the Director, Land Development Department and Corporate Counsel, that the necessary agreements and approvals have been secured in perpetuity, to provide for permanent vehicular access for the abutting lands to the south shown as Blocks "1" and "2" on APPENDIX "C", from these lands to Glancaster Road through the Ontario Hydro corridor to the west of the subject lands from the following agencies: Ontario Hydro; Bell Canada; TransCanada PipeLines; the Township of Glanbrook; and, the applicable Conservation Authority;
 - (iii) the applicant/owner has demonstrated to the satisfaction of the Director, Land Development Department, and the Supervisor of

Traffic Studies/Traffic Technologists, Traffic Division, Transportation, Operations and Environment Division, the proposed extension of Falconridge Drive westerly to connect to Glancaster Road is no longer required;

- (iv) the applicant/owner applying for and receiving approval for an access agreement to Rymal Road West to the satisfaction of the General Manager, Transportation, Operations and Environment Division; and,
- (v) the applicant has undertaken and completed, to the satisfaction of the Ministry of Citizenship, Culture and Recreation an archaeological assessment of the subject lands and any significant resources present are to be removed and documented through excavation prior to construction, or preserved intact while development proceeds around the subject lands.

City Council may remove the 'H' symbol, and thereby give effect to the 'C' District provisions by enactment of an amending By-law once the conditions have been fulfilled;

- (e) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council;
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1441, and that the subject lands on Zoning District Map E-38C and E-38D be notated as S - 1441;
- (g) That upon finalization of the implementing zoning by-law, the approved Carpenter Neighbourhood Plan be amended to redesignate Blocks "1" and "2" from "Single & Double" Residential to "Attached Housing" and to revise the road network by terminating Falconridge Drive as a cul-de-sac, as shown conceptually on APPENDIX "D".
- (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

3. Demolition of 238 Belmont Avenue (PDC000045) (Item 4.1)

That the Building Commissioner be authorized to issue a demolition permit for 238 Belmont Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

4. **Demolition of 100 Quigley Road, Unit 54, Section H-7 (PDC00048) (Item 4.4)**

That the Building Commissioner be authorized to issue a demolition permit for 100 Quigley Road, Unit 54 in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. **Request for a Validation Certificate for Lots 58-60, Registered Plan 62M-872 (PDC00030) (Item 4.5)**

- (a) That approval be given to the request for a Validation Certificate pursuant to Section 57 of the Planning Act for Lots 58 – 60, inclusive, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "E"; and,
- (b) That the Corporate Counsel be directed and authorized to prepare a by-law to legalize the creation of maintenance easements for Lots 58 – 60, inclusive, Registered Plan 62M-872 "Effort Gardens, Phase 1".

6. **Hamilton Emergency Loan Program, 25 Chatham St. (HSB00005) (Item 4.6)**

That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, two hundred and eighty-four dollars (\$1,284) be approved for Joyce Brown, 25 Chatham Street. The interest rate will be 2 per cent amortized over 5 years.

7. **Core Heritage 2000 Program Grant Increase, 34-36 Hess Street South (HSB00006) (Item 4.7)**

That a grant increase, for façade improvements, under the Core Heritage 2000 Program, in the amount of nine thousand, four hundred and fifty-five dollars (\$9,455) to Intrilectual Investments Inc., registered owner of 34-36 Hess Street South, be approved.

8. **International Village BIA- Revised Board of Management(PWT00049)(item 4.8)**

That the following individual be appointed to the International Village B.I.A.'s Board of Management:

John Kenyon Jr.

222 King Street East (Payne Music)

9. **Barton Village BIA- Proposed Budget and Schedule of Payment for 2000 (PWT00054) (item 4.9)**

- (a) That the 2000 operating budget for the Barton Village B.I.A. attached hereto as Appendix "F" be approved in the amount of \$33,345; and,
- (b) That the 2000 levy portion of the operating budget for the Barton Village B.I.A. be approved in the amount of \$27,550; and,
- (c) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (b) above; and,
- (d) That the following schedule of payments for 2000 be approved:

March	\$13,775.00
June	\$ 6,887.50
September	\$ 6,887.50

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

10. **Demolition of 244 King St. E., Implementation of the Ferguson Avenue Master Plan (PWT00037) (Item 5.2)**

- (a) That the Acting Commissioner of the Department of Public Works and Traffic be authorized and directed to arrange for the demolition of the City owned property at 244 King Street East; and,
- (b) That the cost to demolish the property be charged to Account Number COHAM 520003003, The Ferguson Avenue Implementation Pedestrian/Bicycle Link; and,
- (c) That the subject lands be incorporated into the implementation of the Ferguson Avenue Master Plan between King Street East and Main Street East; and,
- (d) That the Building Commissioner be authorized to issue a demolition permit in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.-13.

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

11. Authorization for Staff Attendance at an Ontario Municipal Board Hearing - 67 Kenilworth Avenue North (PDC00052)

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:184, respecting property located at No. 67 Kenilworth Avenue North, as shown on attached map marked as Appendix "G".

12. Canadian Planners Association Conference- June, 2000

- (a) That the Chairman or his designate and 2 other members of the Planning and Development Committee be authorized to attend the Canadian Planners Association Conference in Charlottetown, June 18-21, 2000; and,
- (b) That cost for attendance is allocated to Alderman's Travel Account No. COHAM 56325 300120.

13. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-007 A By-law to Remove Land within the "Gardens of Rymal- Phase 5" Subdivision, Plan 62M-887 from Part Lot Control.
- (b) C-008 A By-law to Designate Land Located at Municipal No. 88 Fennel Avenue West as Property of Historic and Architectural Value and Interest.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**
None declared.
- (b) **Adoption of Minutes - February 23, 2000 (Item 3.)**
The Minutes of the meeting held February 23, 2000 were adopted.
- (c) **ZAC-99-25, Lands located west of Hawkswood Trail, south of Falconridge Drive and east of Hamilton City (PDC00050) (Item 2.1)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the report. He advised that of 76 Notices circulated, 13 replied in favour and 5 opposed.

Sergio Manchia of Planning Initiatives was present on behalf of the applicant and in favour of the recommendation.

Henrey Schilthius of 160 Sawmill Rd. in Caledonia and representative of the Reformed United Church was present in favour of the recommendation.

Carmen Rizzotto of 70 Hawkswood Trail and President of the Highridge Community Council was present and commended all parties in their efforts to make the end of Falconridge Rd. into a cul-de-sac.

- (d) **ZAC-99-28, Lands located East of Glancaster Rd., West of Hawkswood Trail at the westerly limits of Falconridge Dr. and south of Rymal Rd. W. (PDC00051) (Item 2.2)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard reviewed the report for the Committee and advised that of 25 notices circulated 6 replied in favour and 4 opposed.

Sergio Manchia of Planning Initiatives was present on behalf of the applicant and in favour of the recommendation and requested that a holding provision be included as an amendment to the recommendation. He stated that the Hydro issues will be addressed prior to severances proceeding.

Carmen Rizzotto of 70 Hawkswood Trail and President of the Highridge Community Council was present and stated that the issue of making the end of Falconridge Rd. into a cul-de-sac is a priority.

Orn Snyder of 707 Rymal Rd. W. and abutting neighbour to the property was present and opposed to the recommendation for the following reasons:

-Increased traffic,

- questioned that the gage house will be appropriately preserved and also that access for seniors is not adequate,
- Upset about lights shining into his home from a sign on site which has now been resolved,
- Drainage runoff onto his property,
- Lots 1 and 2 have been stripped of topsoil.

John Iachelli of 47 Falconridge Drive was present in opposition to the recommendation because of concerns regarding traffic, and increased pollution. He advised that when he purchased his property in 1994 there were no plans for this development.

Serge Manchia advised that the traffic would be worse if Falconridge was not closed. There has been change but to the betterment of the community. He stated that he will follow up regarding Mr. Snyder's concerns. Accessibility to the Tea House is being reviewed.

In response to a question from Alderman Copps, Mr. Manchia stated that he will follow up regarding potential artifacts on site.

Alderman D'Amico stated that this development is an exciting concept of healthcare and lifestyle living.

Regarding a question from Mr. Snyder, Paul Mallard stated that the drainage is included in the site plan which is approved and registered on title.

Following discussion the committee approved the recommendation as amended to include a holding provision.

*Alderman Copps was opposed to the main motion as amended.

- (e) **Demolitions of 21 St. Olga St. (PDC00046) (Item 4.2) & 23 St. Olga St. (PDC00047) (Item 4.3)**

Following brief discussion the Committee resolved to table the 2 Items in order to allow the parishioners and priest to meet and come to a consensus.

- (f) **Information Items (Item 4.10)**

That the following Information Items as previously distributed to Members of the Planning and Development Committee be received:

- (i) Mary Lou Dickson, re: Petition on ZAC-99-04 1389 Upper James Street dated February 22, 2000

- (ii) Acting Commissioner, Department of Public Works and Traffic re: Downtown BIA Revised Board of Management dated February 17, 2000
- (g) **Demolition of 244 King Street East – Implementation of the Ferguson Avenue Master Plan (PW00037A) (Information) (Item 5.1)**
-and-
Demolition of 244 King St. E., Implementation of the Ferguson Avenue Master Plan (PWT00037)(Recommendation) (Item 5.2)

The Information report was received.

A brief discussion ensued regarding all options being considered for the property.

*Alderman Copps and Alderman Haining were opposed to the main motion for the recommendation report.

(h) **Other Business**

- (i) In response to a question from Alderman Caplan, Lee Ann Coveyduck advised the Committee that the City Maps which are presently outdated by 2 to 3 years will be digitized.
- (ii) Alderman Haining requested that staff consider changing the boundary of the Open for Business Policy regarding development charges from Victoria to Wentworth Street.
- (iii) **Authorization for staff attendance at an OMB Hearing- 67 Kenilworth Avenue North (PDC00052) (Added Item)**

The Committee suspended the rules to introduce this added item which was subsequently approved.

(iv) **Canadian Planners Association Conference- June, 2000**

The Committee resolved to authorize the Chairperson and two members of the Planning and Development Committee to attend the conference.

*Alderman Copps opposed.

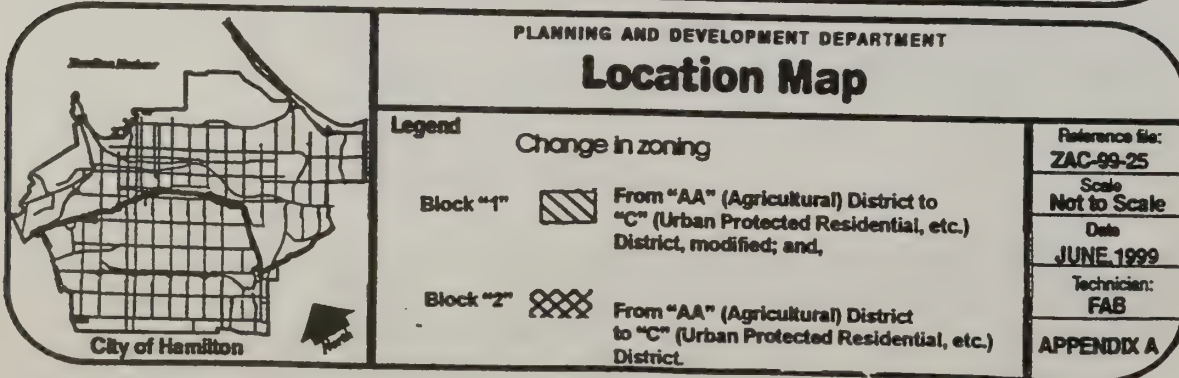
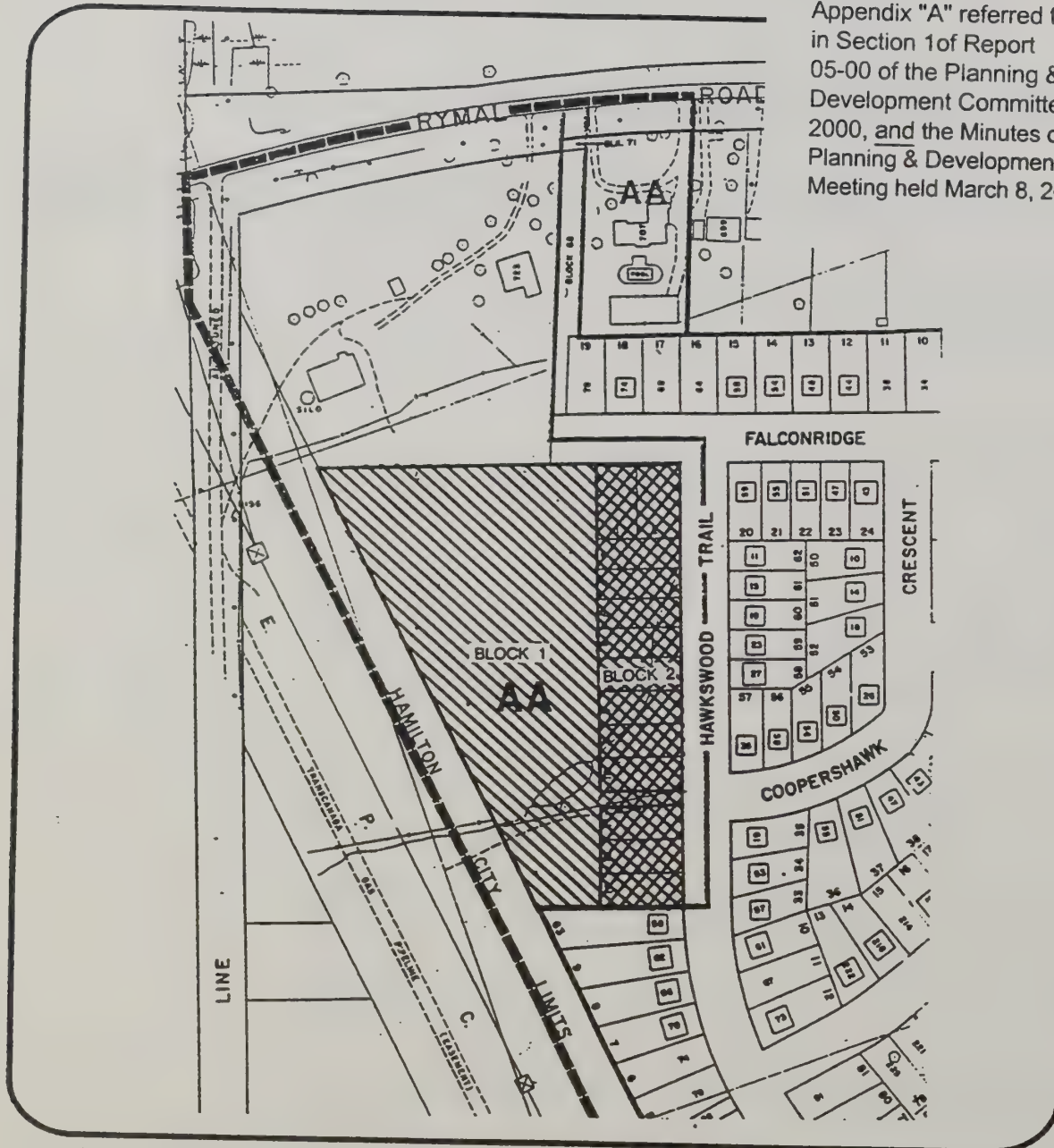
- (v) Staff was directed to prepare an information report for the next regularly scheduled Planning and Development Committee meeting regarding an issue respecting the sideyard flankage of a property on Mohawk Road West.

Note: The meeting of the Planning and Development Committee adjourned at 10:55 a.m.

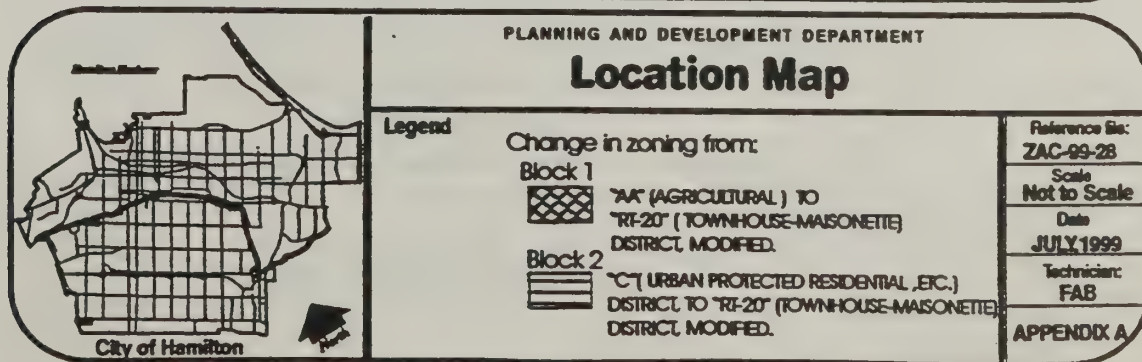
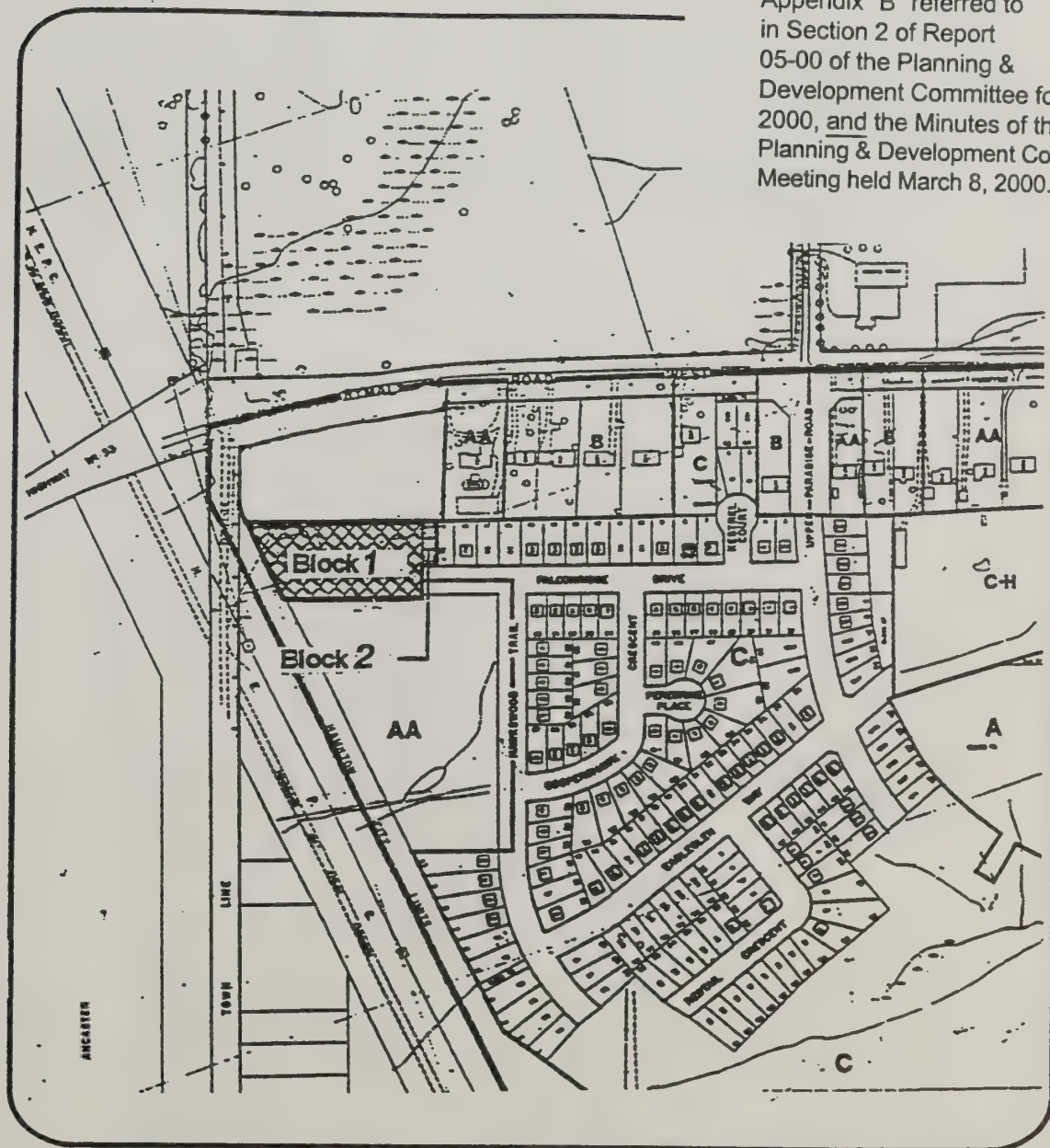
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
March 8, 2000**

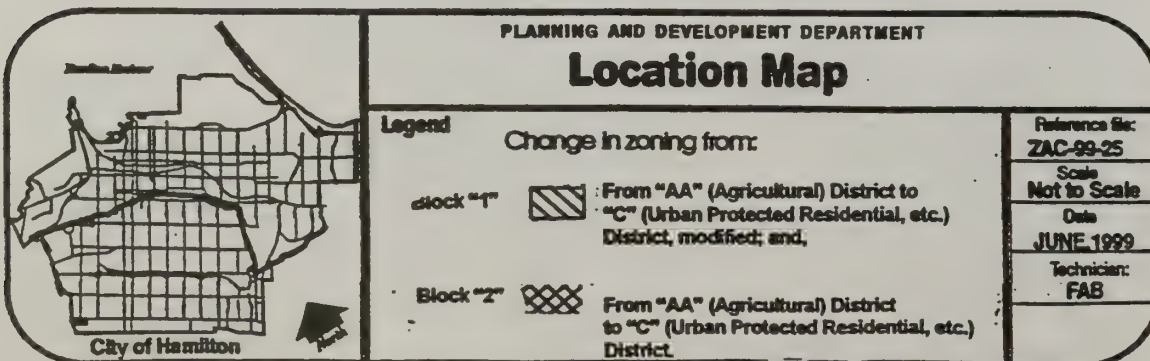
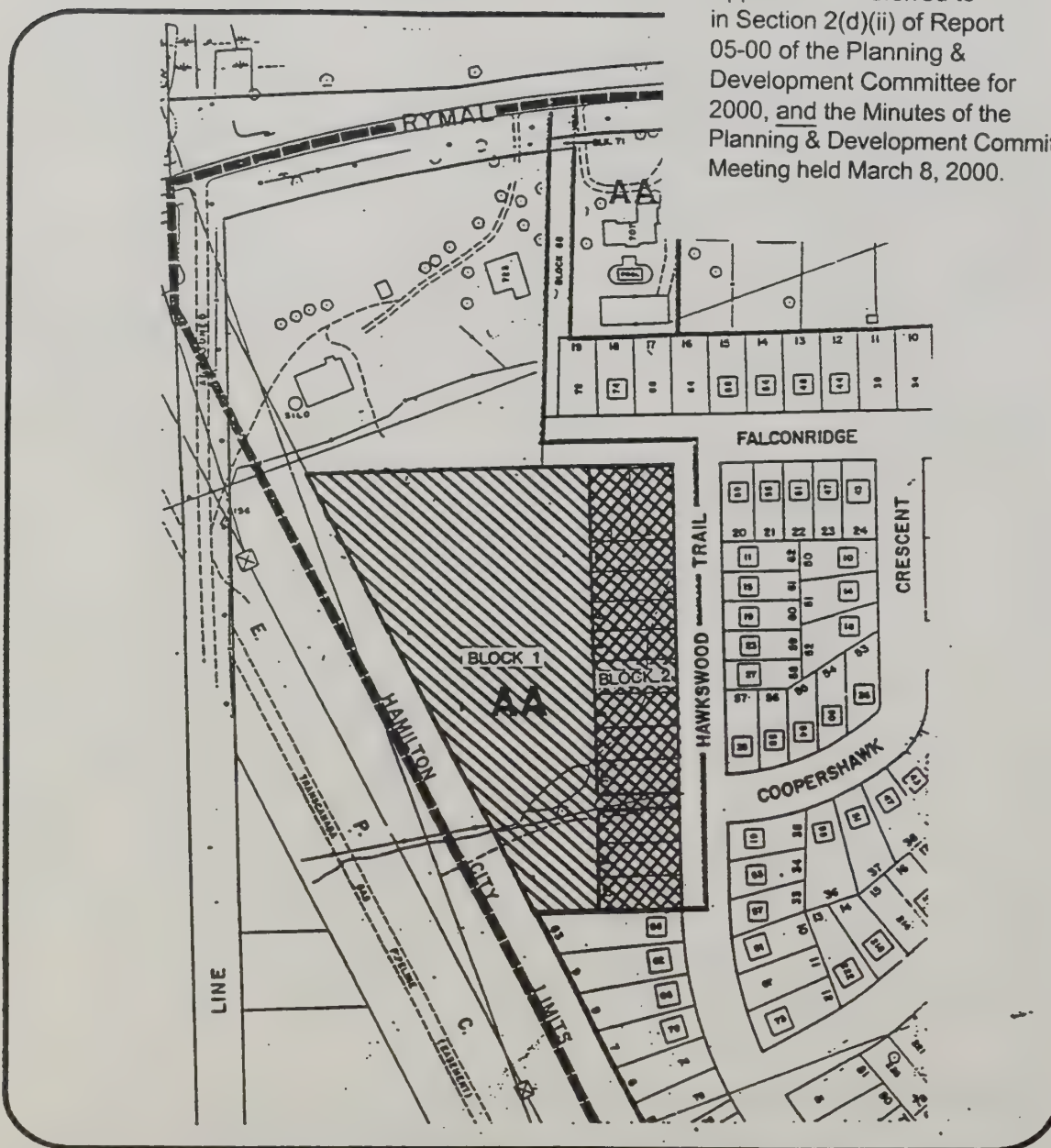
Appendix "A" referred to in Section 1 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.

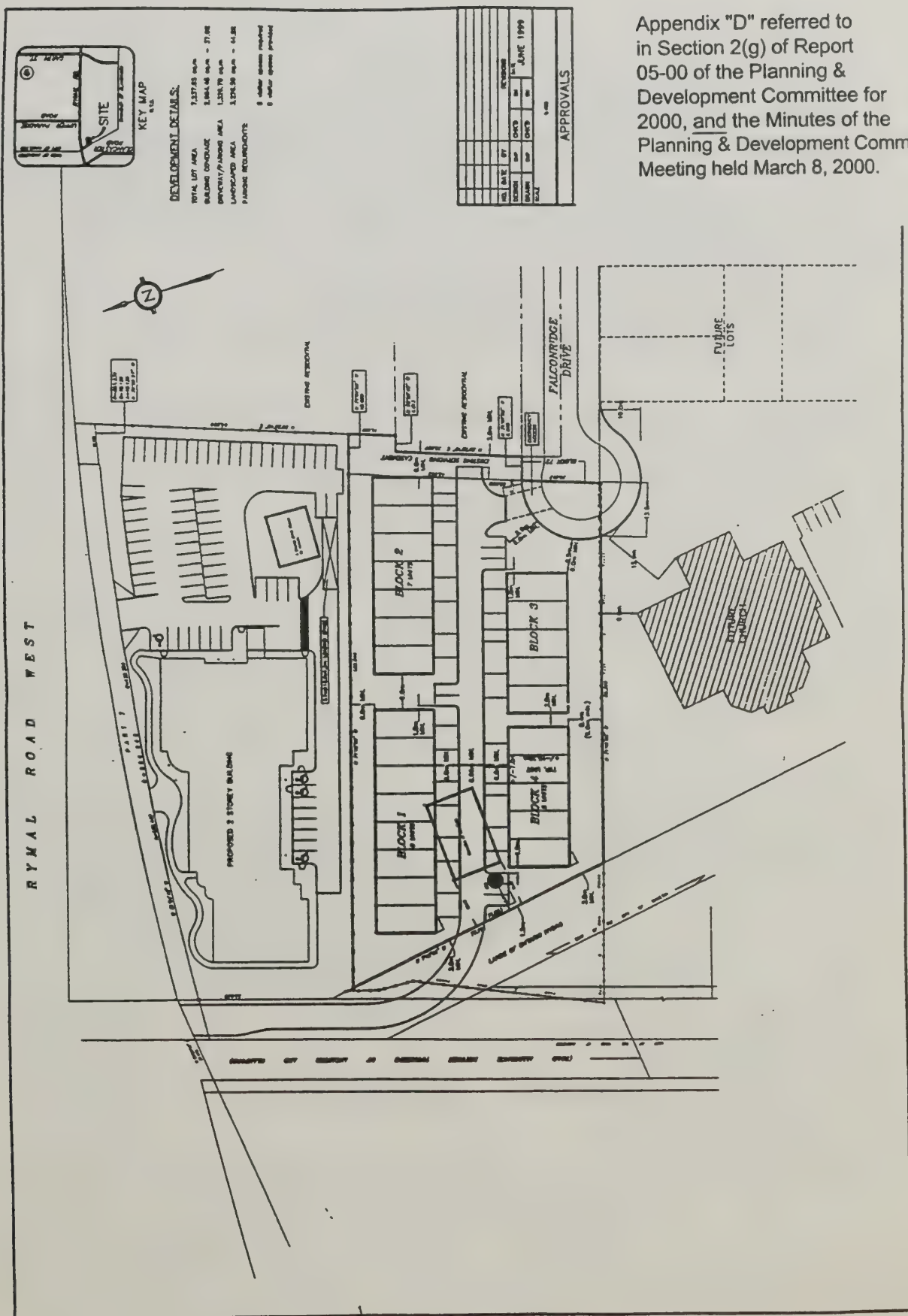


Appendix "B" referred to in Section 2 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.

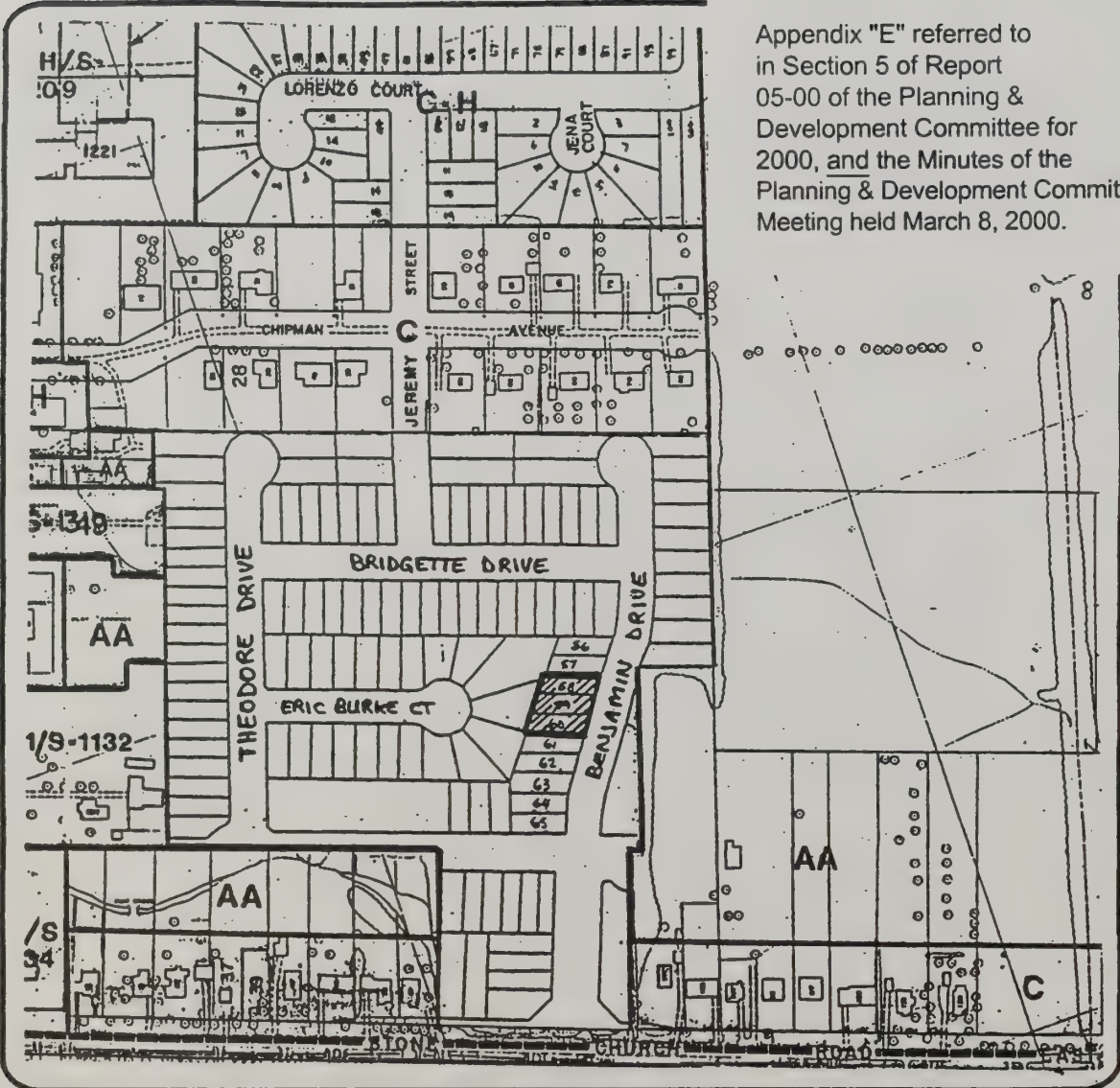


Appendix "C" referred to in Section 2(d)(ii) of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.





Appendix "D" referred to in Section 2(g) of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.



Appendix "E" referred to in Section 5 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.

City of Hamilton

Site of the Application

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:
PLC-99-06

Scale
Not to Scale

Date
JAN, 2000

Technician:
D.L.

Appendix 'A'

**Barton Village Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000**

Appendix "F" referred to
in Section 9 of Report
05-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held March 8, 2000.

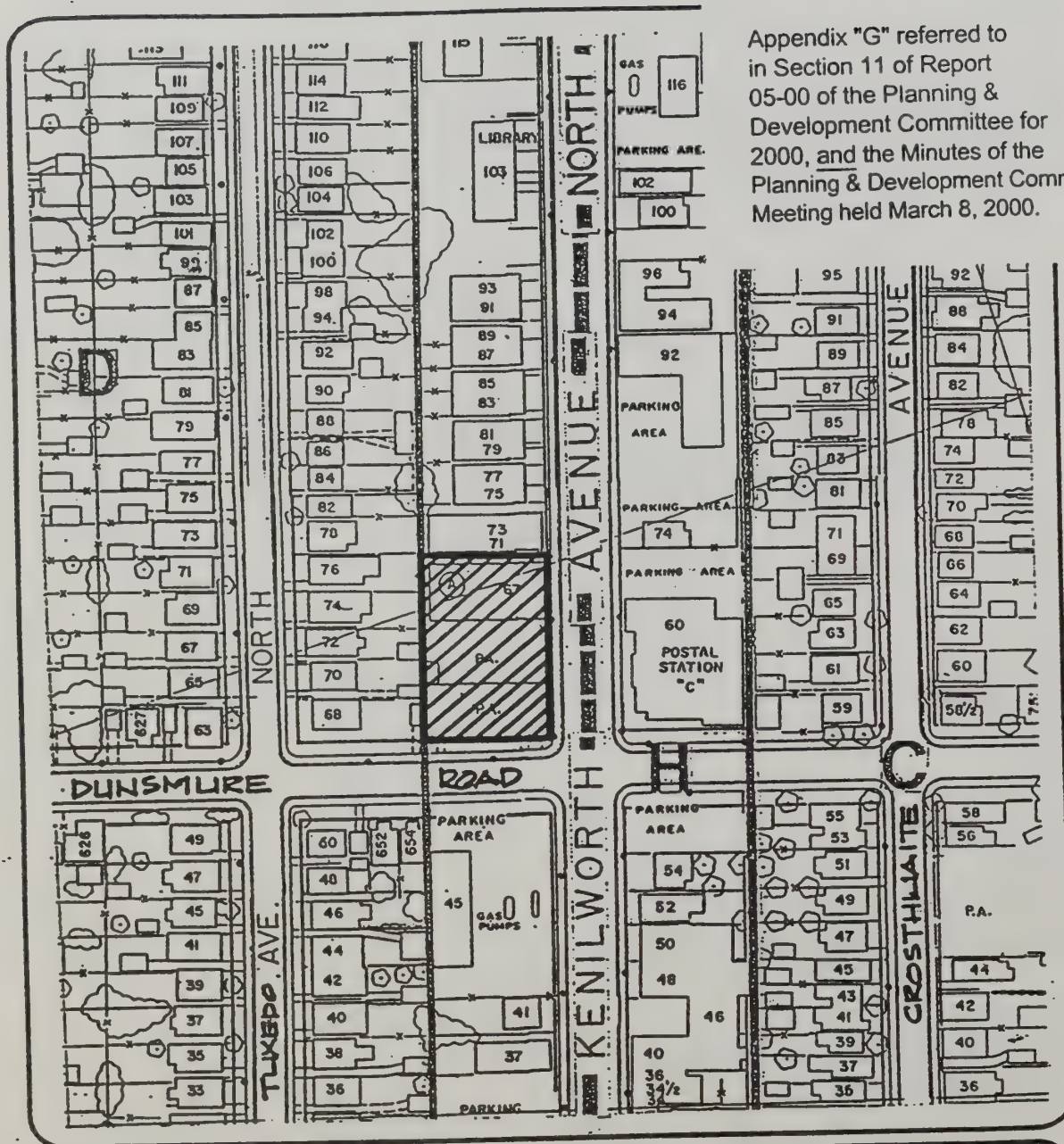
APPENDIX ' '**BARTON VILLAGE BUSINESS
IMPROVEMENT AREA'S (B.I.A.'S)
2000 BUDGET**

<u>EXPENSES</u>	<u>AMOUNT</u>
Wages	\$10,000
Insurance (General and Director's)	\$ 1,700
B.I.A. Meetings	\$ 1,500
Audit Fee	\$ 350
Administration/Office Expense	\$ 1,720
Christmas Decoration Installation/ Removal/Storage	\$ 1,500
Special Events	\$ 3,200
Business Development & Consultant Fees	\$ 2,727
Advertising and Promotion	\$ 7,280
Contingency	\$ 800
Rent	\$ 2,568

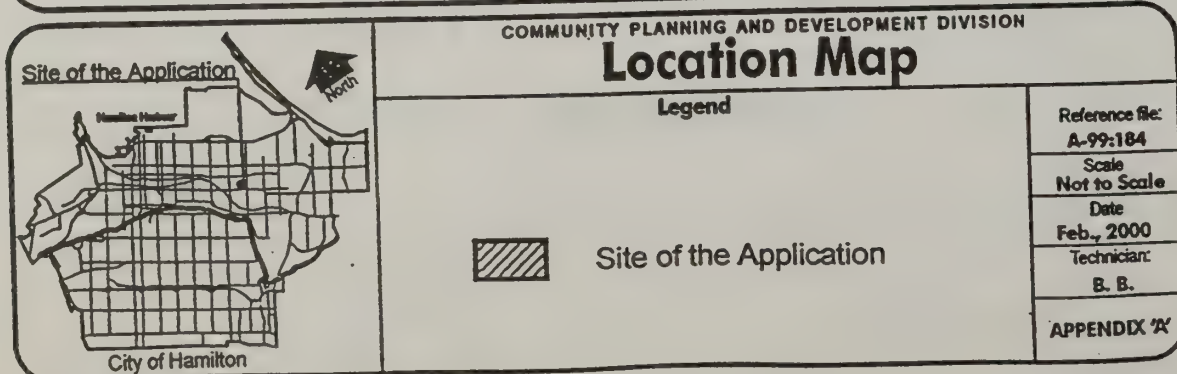
TOTAL BUDGET \$33,345

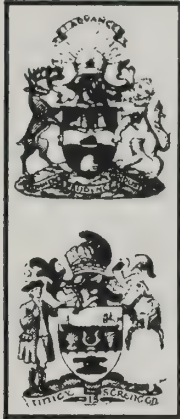
Revenue:

2000 Levy	<u>\$27,550</u>
Reserve from 1999	\$ 5,295
Interest	\$ 500



Appendix "G" referred to in Section 11 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.





REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, March 7, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, D. Wilson, M. Caplan, A. Sloat

Also present:

Aldermen G. Copps, F. Eisenberger
Fire Chief G. Peace, K. Nutley, D. Powers, L. Bourns, T. Tollis,
T. Bradbury, J. Bruzzese, B. Desnoyers, G. Paparella,
D. Redfearn, J. Spiler, T. Whitehead, L. Cecchetti,
Susan K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. **Conference Attendance - City of Hamilton and Regional Municipality of Hamilton-Wentworth Elected Officials - Federation of Canadian Municipalities - June 2 - 5, 2000 (CS00009)(Item 11)**

That insofar as voting delegate status is granted to all elected officials in attendance, and the close proximity of this year's Conference, that all members of Regional and City Councils who wish to attend be authorized to attend the 63rd Annual Conference of the Federation of Canadian Municipalities being held in London, Ontario on June 2 - 5, 2000.

2. FCM Board of Directors (New Business #1)

- (a) That the Federation of Canadian Municipalities be advised that Hamilton City Council nominates Alderman B. Charters as its nominee for consideration as a member of the National Board of Directors of the Federation of Canadian Municipalities; and,
- (b) That City Council agrees to meet the costs of its nominee to attend meetings of the FCM Board of Directors for the year June 1, 2000 to June 30, 2001.

3. City of Hamilton Development Charges By-law Amendments (FIN00027)(Item 16)

- (a) That a new residential development charge rate classification for "Residential Facilities" be established, being development containing two or more units for residential accommodation, which units do not have self-contained kitchens and are with or without self-contained bathrooms, based on a \$.30 per square foot development charge unit rate; and,
- (b) That residential development in the area of the City of Hamilton bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour, be exempt from development charges, save and except residential facilities; and,
- (c) That development defined as "residential facilities", in the area bounded by Queen Street, Cannon Street, Hunter Street and Victoria Avenue, be subject to the "Residential Facilities" development charges rate in the Development Charges By-law; and,
- (d) That Non-Profit Housing Developments as defined in the By-Law, where capital costs are not in part or whole funded by senior levels of government, be exempt from Development Charges; and,
- (e) That development undertaken by a university recognized by the Province in the University Expropriation Powers Act, be exempt from Development Charges; and,
- (f) That the Residential Development Charge Unit Rates set out in City of Hamilton Development Charges By-law 99-118, be reduced by 4.2%; and,
- (g) That private non-profit schools as defined in the Development Charges By-Law, be exempt from Development Charges; and,

- (h) That commercial development charges be limited to the first 150,000 square feet per building; and,
- (i) That the Development Charges By-Law as amended be passed and enacted by Council, and be effective the date following Council approval; and,
- (j) That the Development Charge By-law amendments, set out in the amending By-law be referred to the Transition Board for consideration.

REFERRED BACK.

4. Tax Exemption - Ontario Workers Arts and Heritage Centre (Item 17)

- (a) That the Mayor and Municipal Clerk be authorized to execute a Municipal Capital Facility Agreement with the Ontario Workers Arts and Heritage Centre; and,
- (b) That the By-law to exempt the Ontario Workers Arts and Heritage Centre, a Municipal Facility at 51 Stuart Street, for municipal and school taxes be enacted; and,
- (c) That the Municipal Clerk give Notice of Passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and to the Secretaries of the Hamilton Wentworth District School Board and the Hamilton Wentworth Catholic District School Board; and,
- (d) That upon the enactment of the By-law, the General Manager, Finance strike from the tax roll the Ontario Workers Arts and Heritage Centre's taxes from March 15, 2000, until the tax roll is amended.

5. Mayor's Office Security (FAC00001)(Item 18)

- (a) That security improvements to the Mayor's office be undertaken at a cost not to exceed \$25,000; and,
- (b) That, subject to Transition Board Approval, a 10 month temporary Administrative Assistant position be established for the Mayor's Office to staff the reception work station; and,
- (c) That subject to the Transition Board approval, security improvements to the Mayor's Office be financed to an upset limit of \$25,000 from the Reserve for Tax Stabilization DeptID104055; and,

- (d) That subject to the Transition Board approval, compensation costs of approximately \$35,000 for a 10 month temporary administrative assistant be financed:
 - (i) Firstly, from the Mayor's 2000 Operating Budget DeptID300105; and,
 - (ii) Secondly, from Corporate Year 2000 operating surplus.

6. Declare Surplus and sell Public Walkway between Wendover Drive and Forestgate Drive, Parts 1 to 4, Plan 62R-15230 (CS00011)(Item 19)

- (a) That the public walkway lying between properties at 19 & 23 Forestgate Drive and 244 and 248 Wendover Drive, known as Block "B" on Plan M-127 and designated as Parts 1, 2, 3 & 4 on Plan 62R-15230, measuring 10 feet in width by 209 feet in length, more or less, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
- (c) That three (3) Offers to Purchase (Highway Closure) duly executed by three abutting property owners on February 8, 2000 and scheduled to close on May 12, 2000, for the public walkway between Forestgate Drive and Wendover Drive, legally described as Block "B", Registered Plan M-127, with dimensions of 3.048m (10 ft.) by 63.73m (209.1 ft.), more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Sales Procedural By-Law No. 95-049 have been fulfilled by the City, and By-Law 99-081, to stop-up, close and sell said public walkway was passed on June 29, 1999 and registered in the Land Registry Office as instrument LT 560114 on July 8, 1999,
 - (i) Part 1, Plan 62R-15230: Purchaser - Donald F. Holt and Brenda M. Holt
 - (ii) Part 2, Plan 62R-15230: Purchaser - George Brazel and Nancy Briffa
 - (iii) Parts 3 & 4, Plan 62R-15230: Purchaser - Mahnaz Jafarpour-Davatgar

and funds derived from the three (3) sales of \$6.00 (\$2.00 each) be credited to Account Centre 47702-100035 (Reserve for Property Purchases - Sales); and

- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents; and,
- (e) That in accordance with Real Property Sales Procedural By-Law 95-049,
 - (i) satisfactory notice has been given to the public of the intended sale by Notices that were published in the Spectator for four (4) consecutive weeks pursuant to Section 300 of the Municipal Act (the highway sale provisions);
 - (ii) property sales/dispositions of Highways (Public Walkway) are exempt from the requirement of an appraisal of fair market value;
 - (iii) the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act.

7. Transient Flower Vendors (PDC00044)(Item 20)

- (a) That Schedule 7 of the City of Hamilton Licensing By-law 98-203, respecting pedlars be amended to provide for the following:
 - (i) That the licensee be required to provide written proof from the private property owner that he has permission to locate and sell from the property;
 - (ii) That the licensee must comply with the regulations of the Zoning By-law;
 - (iii) That the licensee be required to produce his licence upon inspection; and,
- (b) That Corporate Counsel be authorized and directed to prepare the appropriate amending by-law; and,
- (c) That the Minister of Labour be requested to investigate and take the appropriate action on transient vendors using underage children to sell products; and,

- (d) That the Province be requested to review the whole issue of transient vendors in order to enact legislation to protect legitimate businesses against the unfair competition of transient vendors.

8. Hamilton Fire Station No. 3 - Minor Upgrades and Ambulance Expansion - approval of construction contract award (CSC00029)(Item 21)

- (a) That staff be authorized to issue a Purchase Order to Bestco Construction Corporation of Hamilton in the amount of Two Hundred and Seventy Seven Thousand Two Hundred and Twenty-Three (\$ 277,223) plus applicable taxes of Nineteen Thousand Four-Hundred and Six (\$19,406) for alterations to Fire Station No.3 at 965 Garth Street as detailed in the Contract Documents issued on February 8, 2000, and;
- (b) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor, and;
- (c) That the Mayor and the Municipal Clerk be authorized to execute the contract on behalf of the City, and;
- (d) That the recommendation be forwarded to the Transition Board for consideration and approval.

9. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN00022)(Item 22)

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:
 - (i) 229 East 28th Street
 - (ii) 257 Quigley Road
 - (iii) 300 Inverness Avenue East
 - (iv) 223 Tragina Avenue North
 - (v) 55 Pinehurst Drive
 - (vi) 173 Wood Street East
- (b) That the by-law to authorize the said Extension Agreements be enacted by City Council.

- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.
- 10. Financing - King's Forest Golf Course - Red Hill Creek Remediation (FIN00025)(Item 25)**
- (a) That as referred to in Section 1 of Report 03-00 of the Parks and Recreation Committee, approved by City Council on February 8, 2000, that the cost for a temporary remedial plan which consists of a bridge and reduced excavation estimated at \$155,000 be funded from the City's Capital Projects - General Reserve (Project ID 100015); and,
- (b) That in the event the Department of Fisheries and Oceans does not approve the temporary remedial plan, the alternative option, which includes costs for design, supervision and tendering, construction and associated works, estimated to be \$260,000, be funded from the City's Capital Projects - General Reserve (Project ID 100015); and,
- (c) That as per the regulation made under the City of Hamilton Act, 1999, the project be referred to the Transition Board for consideration since it was not included in the approved 2000 budget for capital projects.
- 11. Financing - Funding Source for a Contribution to Festivals and Events Ontario Conference 2000 Education Forum (FIN00019)(Item 26)**
- That as referred to in Section 5 of Report 02-00 of the Parks and Recreation Committee approved by City Council on February 8, 2000 that a \$5,000 contribution to the Festivals and Events Ontario Conference in Hamilton on March 9 - 12, 2000 be financed from COHAM Account 57242 - 265010, Hosting of Conferences with Municipal Subject Content.
- 12. Bills**
- That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-008 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (b) D-009 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.
- (c) D-010 A By-law to provide for the more effective regulation of the activities persons carrying on the business of a pedlar at locations adjacent to road allowances within the City of Hamilton. **ADDED.**

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Adoption of Minutes- Tuesday, February 15, 2000 (Item 10)**

The Committee approved the minutes of its meeting held on Tuesday, February 15, 2000.

(c) **1999 Fourth Quarter Staffing Report (HUR00002)(Item 12)**

The Committee received for information the above noted Information Report.

(d) **Information Items Listing (Item 13.1)**

The Committee approved the receipt of the listing of Information Items forwarded to them under separate cover.

(e) **Financing - West 5th Area Stormwater/Infrastructure Study (FIN00023)(Item 23)**

The Committee agreed to table this matter, as there were no staff in attendance to respond to questions.

(f) **Financing - Walker Pool Redevelopment Project (FIN00024)(Item 24)**

The Committee tabled this report, as the Parks and Recreation Committee has tabled the main issue.

(g) **Referral from City Council - After-Hours Desk - Customer Service Levels (Item 27)**

The Committee agreed to table this matter, as there were no staff in attendance to respond to questions.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee and the Joint Public Meeting on Development Charges adjourned at 11:30 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
March 7, 2000**

URBAN
MUNICIPAL

MINUTES

CITY OF HAMILTON
SPECIAL CITY COUNCILTuesday, March 21, 2000
11:20 p.m.Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

APR 12 2000

GOVERNMENT DOCUMENTS

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps,
C. Collins, B. Charters, T. Jackson, T. Anderson,
B. Kelly, F. D'Amico, D. O'Sullivan.

Absent:

Alderman F. Eisenberger - vacation

Mayor R. M. Morrow called the meeting to order and distributed a copy of a letter to members of Council dated March 21, 2000 from Neil L. Bindman of Byers, Casgrain, Solicitors respecting the Sheraton Hamilton Hotel.

It was moved by Alderman Caplan and seconded by Alderman Collins that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman Caplan and seconded by Alderman Collins that Council move into Committee of the Whole to consider the Report of the Finance and Administration Committee respecting City Development Charges, Appointment of an Acting Municipal Clerk and Commerce Place, 1 and 21 King Street West with Mayor R. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE 06-00

It was moved by Alderman Caplan and seconded by Alderman Collins that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Hamilton City Council then adjourned at 11:25 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 21, 2000
JJS/dg**

REPORT



CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, March 21, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice- Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow - City business Region Finance and Administrative Services Committee Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Councillors D. Wilson, D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, M. Caplan, A. Sloat
Regrets:	Councillor A. Bain - City business
Also present:	Councillor T. Anderson J. Bruzzese, L. Bourns, D. Powers, A. Ross, Fire Chief G. Peace, K. Nutley, A. Zuidema, M. Hill, J. Spiler, L. Gohier, R. Fair, H. Vastis, S. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 06-00 AND RESPECTFULLY RECOMMENDS:

1. **City Development Charges By-law Amendments (FIN00032)(Item 12)(FIN00027)(Item 16.1 Mar. 7 F&A)**
 - (a) That a new residential development charge rate classification for a "Residential Facility" be established, being development containing two or more units for residential accommodation, which units do not have self-contained kitchens and are with or without self-contained bathrooms, based on a \$0.30 per square foot development charge;

this rate shall, like the other residential development charge rates, (subject to the exempted area in clause (b) below,) apply to the whole City; and

- (b) That all residential development in the area of the City of Hamilton bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour, be exempted from development charges, (save and except for the residential facility rate to be applied to a core area, as provided for in clause (c) below;) and,
- (c) That the new "residential facility" residential rate, shall, be applicable to the core area of the City of Hamilton bounded by Queen Street, Cannon Street, Hunter Street and Victoria Avenue, and,
- (d) That non-profit housing developments carried out by non-profit housing corporations which have in their letters patent non profit provisions and primary objective of housing for persons of low and moderate income, where capital costs are not in part or wholly funded by senior levels of government, be exempted from Development Charges; and,
- (e) That development undertaken by a university recognized by the Province in the University Expropriation Powers Act, be exempted from Development Charges; and,
- (f) That academic educational schools which meet all of the following criteria, be exempted from Development charges:
 - (i) registered with the Province as a "private school" under section 16 of the Education Act,
 - (ii) non-publicly funded school;
 - (iii) operated on a not for profit basis;
 - (iv) operated by a non-share non-profit corporation, or an established religion or a "religious organization" as defined in the Religious Organizations' Lands Act;
 - (iv) offering elementary or secondary academic education; and,
- (g) That post secondary academic education schools which meet all of the following criteria, be exempted from Development Charges:
 - (i) offering, following graduation, a "Bachelor's Degree" recognized by the Province;
 - (ii) non-publicly funded school;
 - (iii) operated on a not for profit basis;

- (iv) operated by a non-share non-profit corporation, an established religion or a "religious organization" as defined in the Religious Organizations' Lands Act; and,
- (h) That non-residential development charges for commercial developments, be limited to the first 150,000 square feet per building; and,
- (i) That a Development Charges Amending By-law to implement the foregoing be prepared in a form satisfactory to Corporate Counsel for enactment by Council; such by-law not to take effect until it has been approved by the Transition Board.
- (j) That regarding the appeal of the Hamilton-Halton Homebuilders Association (HHHBA) to City Development Charges By-law No. 99-118, it is recommended that the City agree to settle this appeal by way of Minutes of Settlement with the HHHBA to be filed with the OMB for approval. The Minutes of Settlement shall provide for a 4.2% reduction in the residential development charge rates as of the date the original By-law came into force, namely, August 12, 1999. The said Minutes of Settlement shall be in a form satisfactory to the Corporate Counsel; and,
- (k) That the above proposed settlement not be submitted to the OMB unless the settlement is first approved by the Transition Board. Staff are hereby authorized and directed to submit a request to the Transition Board to approve the said proposed settlement of this appeal.

2. Appointment of Acting Municipal Clerk - City of Hamilton/Regional Municipality of Hamilton-Wentworth (CS00014)(Item 9.1)

- (a) That Kevin C. Christenson be appointed to the offices of Acting Clerk of The Corporation of the City of Hamilton and of The Regional Municipality of Hamilton-Wentworth within Salary Schedule C, step 1 effective April 3, 2000; and,
- (b) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare the appropriate by-laws appointing Mr. Christenson to the offices of Acting Clerk of The Corporation of the City of Hamilton and of The Regional Municipality of Hamilton-Wentworth.

3. **Commerce Place, 1 & 21 King Street West, Hamilton - addition of new owner of 21 King Street West office tower to City's loading dock lease and truck tunnel easement (Item 14)**
- (a) That in connection with the severance of the Commerce Place office towers at 1 and 21 King Street West into two parcels of land, (which severance was conditionally approved by the Committee of Adjustment), it is recommended:
- (i) That the City, as the abutting MacNab Street landowner, agree, that the new owner of 21 King Street West may also join in the existing City Lease of the below grade loading area and in the existing City easement for the truck tunnel, subject to the terms and conditions in this resolution; (said Lease dated October 3, 1989 and registered as #10897; said easement dated February 13, 1991 and registered as #090265); and,
 - (ii) That the assignment of a 50% co-tenancy interest in the said loading bay lease by the existing tenant, namely The Dominion Realty Company Limited ("Dominion"), to the new owner of 21 King Street West, namely 3170497 Canada Inc., be approved, and that the City join in such assignment to provide its consent as landlord; and,
 - (iii) That the interest of Dominion in the said loading bay lease and in the said truck tunnel easement with the City at this time, be confirmed and that this approval and confirmation also apply to the lessee changes made during the preceding years, when Dominion had sold and re-acquired its land to and from affiliates of Dominion; and,
 - (iv) That the City enter into Non-Disturbance Agreements with long term lessees (and the lessees' mortgagees) of 1 and 21 King Street West (including the Summit Reit and the Bank of Nova Scotia) from time to time, to provide that the City shall notify them in the event of default in the lease and in the easement by the abutting owners and the City shall permit the such tenants access as long as they comply with same until the abutting owner(s) enters into an agreement and lease with the City; such non-disturbance agreement not to provide any rights beyond the term expiring in 2069 of the loading bay lease and easement; such non-disturbance agreement to be in a form satisfactory to Corporate Counsel; and,

- (b) That the City's existing loading bay lease with Dominion and with the new owner of 21 King Street West be further revised to confirm that the tenants and their mortgagees of the two abutting land owners are permitted to use the loading bay and truck tunnel easement as long as the abutting owners keep the loading bay lease and easement in good standing with the City; and,
- (c) That the City issue an Estoppel Certificate addressed to Dominion and to the new owner of 21 King Street West, Summit Reit and BNS regarding the Loading Bay Lease and truck tunnel easement, to confirm they are in good standing, subject to any matters to be completed or fulfilled by Dominion, such Certificate to be prepared in a form satisfactory to Corporate Counsel; and,
- (d) That the foregoing be subject to the following conditions:
 - (i) the new tenant and Dominion entering into an Assumption Agreement;
 - (ii) satisfactory evidence of corporate authority for the foregoing transactions for the private companies, and solicitors' opinions and such third party consents as the Corporate Counsel may advise;
 - (iii) that Dominion pays the City (on the closing of the Commerce Place sale) the costs of any external legal counsel retained by the City; and
- (e) That the City record on title its ownership of the 10 foot wide lane fronting onto the east limit of MacNab Street North, which lane extends 148 feet easterly along the rear (or south face) of the wall of the office tower known as 21 King Street West; such evidence of title to be a declaration, transfer or highway by-law in a form satisfactory to Corporate Counsel, to establish the lane as municipal property or as a public highway: (Part 5, Reference Plan 62R-7653); and,
- (f) That the City discharge the Development and Collateral Agreements relating to a proposal for a pedestrian bridge over King Street West as the ten year term of the said agreements has expired; (instruments LT.259154 and LT. 259155); and,
- (g) That the Mayor and the Municipal Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel.

4. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-011 A By-law to amend By-law 99-118 respecting development charges on lands within the City of Hamilton.
- (b) D-012 A By-law to appoint a Temporary Acting Clerk for the Corporation of the City of Hamilton
- (c) D-013 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
March 21, 2000**

URBAN
MUNICIPAL



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 28, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

APR 12 2000

GOVERNMENT DOCUMENTS

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Elder Walter Cooke, Ojibway/Cree Nation, First Nations Community, led Council in prayer.

PRESENTATIONS

Joan Denew and Anne Pearson presented to Mayor R. M. Morrow the "Golden Rule" and Mayor R. Morrow invited all members of City Council to attend the Christian Millennium Festival which is being held at Copps Coliseum on April 9, 2000. All non-Christian Faiths are invited to be in attendance.

Mr. Targhi presented to City Council a petition containing approximately 500 pages with 20 signatures per page petitioning the No Smoking By-law in Businesses.

Mayor R. M. Morrow presented a Certificate of Recognition to Kyle Kloosterman for winning two provincial bowling championships in the Bantam Division in 10 Pin Bowling.

Bob Weir, CIBC announced to City Council, that the former Locke and Herkimer CIBC Branch has been donated to the City of Hamilton to be used as a new branch of the Hamilton Public Library.

Mayor R. M. Morrow recognized Mr. J. J. Schatz, Municipal Clerk, for his years of service to the City. Mr. Schatz is retiring after 37 years service to the Corporation.

Mayor R. M. Morrow presented to the Clerk, a letter from the Minister of Citizenship, Culture and Recreation regarding the 2000 Syl Apps Awards of Excellence Program.

ADOPTION OF MINUTES

The Minutes of the meetings held March 7 (Special), March 14 (Regular) and March 21 (Special) were adopted as circulated.

It was moved by Alderman Wilson and seconded by Alderman Caplan that the Minutes of the Special meeting of City Council held on February 29, 2000 respecting the Sheraton Hotel Lease Agreement, and adopted on March 14, 2000 be reconsidered.
CARRIED.

It was moved by Alderman Wilson and seconded by Alderman Caplan that the Minutes of the Special meeting of City Council held on February 29, 2000 be amended by adding the following recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -11.

NAYS: Aldermen Kiss, Wilson, Eisenberger, Collins, Charters. -5.

CARRIED.

CORRESPONDENCE

1. Application dated March 17, 2000 from National Printing and Decorating Limited, for a change in zoning from "H" (Community Shopping and Commercial, etc) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for lands at 801 and 803 King Street West and 80, 86 and 90 Carling Avenue, Hamilton, Ontario.

Received.

2. Application dated March 16, 2000 from Lynwood Hall Child and Family Centre for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density

Multiple Dwellings) District, modified for Blocks "1", "3" and "5" and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District, modified for Block "2", "4" and "6" for property at 526 Upper Paradise Road, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Grants Committee be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 06-00

Section 3 Re: Demolition of 21 St. Olga Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

Section 4 Re: Demolition of 23 St. Olga Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 07-00

Section 5 Re: Sale of Surplus Property – 2418 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Aldermen Copps, Eisenberger. –2.

CARRIED.

GRANTS COMMITTEE - REPORT 01-00

Section 1 Re: 2000 City Grants Budget

It was moved by Alderman Eisenberger and seconded by Alderman Haining that Section 1 of Report 01-00 of the Grants Committee be referred back to the Committee of the Whole for consideration.

Recorded vote.

YEAS: Aldermen Kiss, Horwath, Haining, Copps, Wilson, Eisenberger, Collins, Charters. –8.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –9.

LOST.

Section 1 Re: 2000 City Grants Budget

It was moved by Alderman Haining and seconded by Alderman Kiss that Section 1 of Report 01-00 of the Grants Committee be referred back. **LOST.**

Section 1 Re: 2000 City Grants Budget

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Jackson, D'Amico, O'Sullivan. -7.

NAYS: Aldermen Kiss, Horwath, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly. -10.
LOST.

Section 1 Re: 2000 City Grants Budget

It was moved by Alderman Wilson and seconded by Alderman Anderson that the original report of staff presented to the Grants Committee at its meeting held March 28, 2000 be approved by City Council and added as Section 2 of Report 01-00 of the Grants Committee.
CARRIED.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Mayor Morrow, Alderman Haining. -2.
CARRIED.

RESOLUTION

Rule No. 9 Re: Members of Community Energy Sub-Committee to attend the District Energy Systems Conference.

It was moved by Alderman Copps and seconded by Alderman Haining that Rule No.9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow for the consideration of a motion to permit Members of the Community Energy Sub-Committee to attend the District Energy Systems Conference.
CARRIED.

Re: Members of Community Energy Sub-Committee to attend the District Energy Systems Conference.

It was moved by Alderman Copps and seconded by Alderman Morelli that up to two (2) Members of the Community Energy Sub-Committee be authorized to attend the District Energy Systems Conference to be held in Toronto in April, 2000.

CARRIED.

ACTING MAYOR FOR THE MONTH OF APRIL 2000
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It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Anderson be appointed Acting Mayor for the month of April, 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the Grants Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

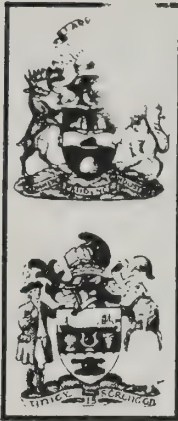
CARRIED.

Note: The meeting adjourned at 9:20 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 28, 2000
JJS/dg**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, March 22, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman F. D'Amico (Chairperson) Alderman G. Copps (Vice-Chairperson) Aldermen M. Caplan, R. Corsini, D. Haining, B. Charters, B. Kelly
Regrets:	Mayor R. M. Morrow (City Business) Alderman F. Eisenberger (City Business)
Also Present:	Alderman A. Horwath L. Coveyduck, G. Paparella, P. Mason, P. Mallard, A. Zuidema, P. Lampman, E. Switenky, B. Janssen, C. Lee-Morrison, N. Smith, C. Touzel

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 06-00 AND RESPECTFULLY RECOMMENDS:

1. City Initiative for a change in Zoning for 130 Bay Street South (St. Mark's Church) (PDC99137(A)) (Item 2.1)

That approval be given to City Initiative CI-00-A, for a change in zoning from "E-3" (High Density Multiple Dwellings) District, modified, to "A" (Conservation, Open Space, Park and Recreation) District, modified, to permit a place of worship (church) and outreach programs within the existing building only, for lands located at 130 Bay Street South, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the subject lands be rezoned from "E-3" (High Density Multiple Dwellings) District, modified, to "A" (Conservation, Open Space, Park and Recreation) District; and,

- (b) That the "A" (Conservation, Open Space, Park and Recreation) District regulations as contained in Section 7. of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - (i) That notwithstanding Section 7.(1), only the following uses shall be permitted:
 - 1. A Place of Worship within the existing building only.
 - 2. Offices for outreach programs accessory to a Place of Worship, including counseling programs but excluding overnight accommodations, within the existing building only.
 - 3. Public open space.
 - (ii) Section 7.(2) shall not apply to the existing building.
 - (iii) Section 7.(3)(i), (ii) and (iii) shall not apply to the existing building.
 - (iv) Notwithstanding Section 7.(4) every lot or tract of land shall have a width of at least 38 m and an area of at least 1,380 m²; and,
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1443, and that the subject lands on Zoning District Map W5 be notated S-1443; and,
- (d) That Corporate Counsel be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W5 for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Staff Attendance at OMB Hearing - 298 Grays Road (PDC00056) (Item 4.1)

That the appropriate Staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-00:1, respecting property located at No. 298 Grays Road, as shown on the attached map marked as Appendix "B".

3. Demolition of 21 St. Olga Street (PDC00046) (Item 5.1)

That the Building Commissioner be authorized to issue a demolition permit for 21 St. Olga Street in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

4. Demolition of 23 St. Olga Street (PDC00047) (Item 5.2)

That the Building Commissioner be authorized to issue a demolition permit for 23 St. Olga Street in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

5. Auchmar, 88 Fennell Avenue West - Heritage Easement Agreement (PDC99098(C)) (Item 6)

That in accordance with the Ontario Heritage Foundation's Easement Acquisition Policy to secure resources to meet any new easement administration responsibilities, that approval be given to the Foundation's request for a municipal contribution to assist with the review of any alterations/additions to the Auchmar property (88 Fennell Avenue West, Hamilton) and periodic site monitoring as follows:

- (a) a one-time donation to the Ontario Heritage Foundation in the amount of \$10,000 to be financed through the Heritage Acquisition Reserve Account; and,
- (b) one annual monitoring site visit to be undertaken by Municipal Heritage Planning Staff.

6. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-009 A By-law to extend By-law No. 99-055 respecting land within the "Wellington Meadows, Phase 1" Subdivision, Plan 62M-877 from Part Lot Control.
- (b) C-010 A By-law to extend By-law No. 98-087 as amended by By-law No. 99-033 respecting land within the "Claudette Gate, Phase 9" Subdivision, Plan 62M-825 from Part Lot Control.
- (c) C-011 A By-law to Remove Land within the "Allison Estates Phase 6" Subdivision, Plan 62M-900 from Part Lot Control.
- (d) C-012 A By-law to Amend Zoning By-law No. 6593 respecting lands located at 164 Rymal Road West.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) City Initiative for a change in Zoning for 130 Bay Street South (St. Mark's Church) (PDC99137(A)) (Item 2.1)

Christine Lee-Morrison, Community Planning and Development Division, provided an overview of the Staff report.

The Committee was advised that of the 1,253 notices mailed on this zoning change, 80 were received in favour, 13 were received in opposition, and 118 were returned unopened.

No Members of the Public were in attendance to speak on this matter.

(c) Adoption of Minutes – March 8, 2000 (Item 3)

That the Minutes of the Planning and Development Committee for its meeting held March 8, 2000 be adopted.

(d) Information Item (Item 4.2)

That the following Information item be received:

Information Report from the Acting Commissioner, Department of Public Works and Traffic re: Barton Village Business Improvement Area (BIA) Revised Board of Management (PWT00071)

- (e) **Demolition of 21 St. Olga Street (PDC00046) and 23 St. Olga Street (PDC00047)** (Items 5.1 and 5.2)

The Committee agreed to deal with these two reports collectively.

The following persons appeared before the Committee on this matter:

- (i) Rt. Reverend R. Hankevych, Pastor, Holy Spirit Ukrainian Catholic Church, 15 Olga Street, Hamilton, read a letter (no date) that was sent to the Building Department requesting a demolition permit for 21 and 23 Olga Street for the purposes of creating a playground for the children of The Holy Spirit School. Reverend Hankevych also expressed concerns that the January 11, 2000 petition that was submitted to the Building Department requesting that demolition permits not be issued for these properties, contained the names of twenty-four citizens that are not parishioners of the Church and that at least three citizens signed their names more than once. Given that the petition constituted less than 10% of the 430 parishioners, he requested that the Committee grant approval to the demolition permits.
- (ii) Rous Hulchuck, 54 West Avenue North, Hamilton, a pioneer and long-time member of the Church, expressed her concerns that the two houses in question have been allowed to deteriorate and become run down and also expressed her concerns regarding the poor condition of the Church. Ms. Hulchuk supported the retention of these houses for use by the Junior Priest and his family.
- (iii) Ann DiCesare, 382 West 5th Street, Hamilton, advised the Committee that these houses are in good condition, are needed for the Junior Priest and should be retained. She did however, indicate her concerns that needed repairs have not been undertaken on these houses and the Church. Ms. DiCesare asked the Committee not to approve the demolition of these buildings as she was advised by the School that additional playground space was not required for the children, and the demolition of these buildings would result in lost revenues for the Church.

- (iv) Father Renaldo Kekis, 60 Gardenvale Road, Etobicoke, Dean for the area, advised the Committee that the costs to repair the houses would be too costly and asked that the demolition permits be approved to accommodate much needed playground space for the children and parking for the Church.
- (v) James Procyk, 401 St. Andrews Drive, Hamilton, read the recent article that appeared in The Hamilton Spectator on this matter and indicated that the Parish Council, at its meeting held November 28, 1999 approved that these buildings should be demolished and felt that more room for a playground for the children was a valid reason to demolish these buildings. Mr. Procyk added that the Junior Priest could be housed at another location.
- (vi) Mr. W. Sadiwskyj, 153 Burrwood Drive, Hamilton, Secretary of the Church Committee for the past six years, expressed his support for the retention of these buildings. Mr. Sadiwskyj indicated that the houses' exterior appears to be in good condition and would be a convenient location to house the Junior Priest and questioned the need to spend more money on a house for the Junior Priest when a house already exists on the site. Mr. Sadiwskyj suggested that the Bishop and the Parish Members meet to resolve this matter peacefully.
- (vii) Mr. P. Mizibrocky, 202 Ottawa Street South, Hamilton, Chair of the Church Committee for the last twenty years, expressed his disappointment that this matter has come this far given that the houses were initially purchased for use as a parking lot and playground. Mr. Mizibrocky expressed his concerns that on a busy day, children are playing in amongst the vehicles and that it would cost too much to repair these houses.
- (viii) Roman Farenech, 77 Graham Avenue South, Hamilton, Member of the Church for approximately thirty years, supported the demolition of the houses for an expanded playground.

Alderman D'Amico also advised the Committee that he received a facsimile dated March 21, 2000 from Elena Lazar expressing concerns that if the buildings are to be demolished that the project be done properly and in a timely manner, so that the land is not left vacant, unused and unkept. Peter Lampman, Building Department, reported that the portion of the lot recommended for conversion to a parking lot would be subject to Site Plan Control, but that the playground area would not.

The Committee approved Reports PDC00046 and PDC00047 as distributed with the agenda. Alderman Copps wished to be recorded as opposed.

(f) **Auchmar, 88 Fennell Avenue West - Heritage Easement Agreement (PDC99098(C)) (Item 6)**

It was moved by Alderman Charters and seconded by Alderman Copps that the Committee approve the expenditure of \$10,000 as identified in Report PDC99098(C).

Some concerns were raised by the Members of the Committee that also serve on the Local Architectural Conservation Advisory Committee on how the Ontario Heritage Foundation came up with the figure of \$10,000. So as not to hold this matter up any further, the Committee agreed to proceed with the recommendation but asked Staff to prepare an Information Report clarifying this matter prior to the City Council meeting on March 28, 2000.

Alderman Caplan wished to be recorded as opposed.

(g) **Introduction of New Staff Person - Legal Services and Corporate Counsel (Item 7)**

Art Zuidema introduced Nancy Smith who will be replacing him as the Legal Services and Corporate Counsel resource to the Community Planning and Development Division and the Planning and Development Committee.

(h) **Staff Report on Pool Tables in Businesses/Restaurants Requested (Item 7)**

For the next meeting, Alderman Charters requested Staff to bring back a report and By-law respecting the use of pool tables in businesses/restaurants, etc.

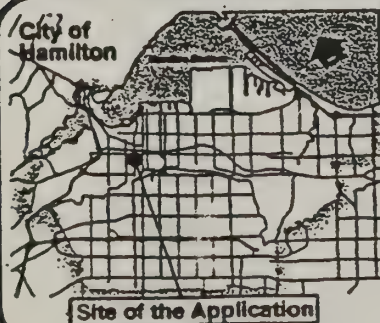
(i) Update Requested re: Homes on Biggar Avenue (Item 7)

Alderman Haining requested that Community Planning and Development Division Staff provide him with information on the status of zoning and future plans for the fourteen remaining homes on Biggar Avenue that are currently zoned "K".

Note: The meeting of the Planning and Development Committee adjourned at 11:06 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Charlene Touzel, Legislative Assistant
March 22, 2000**

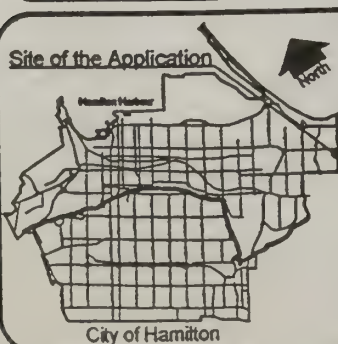
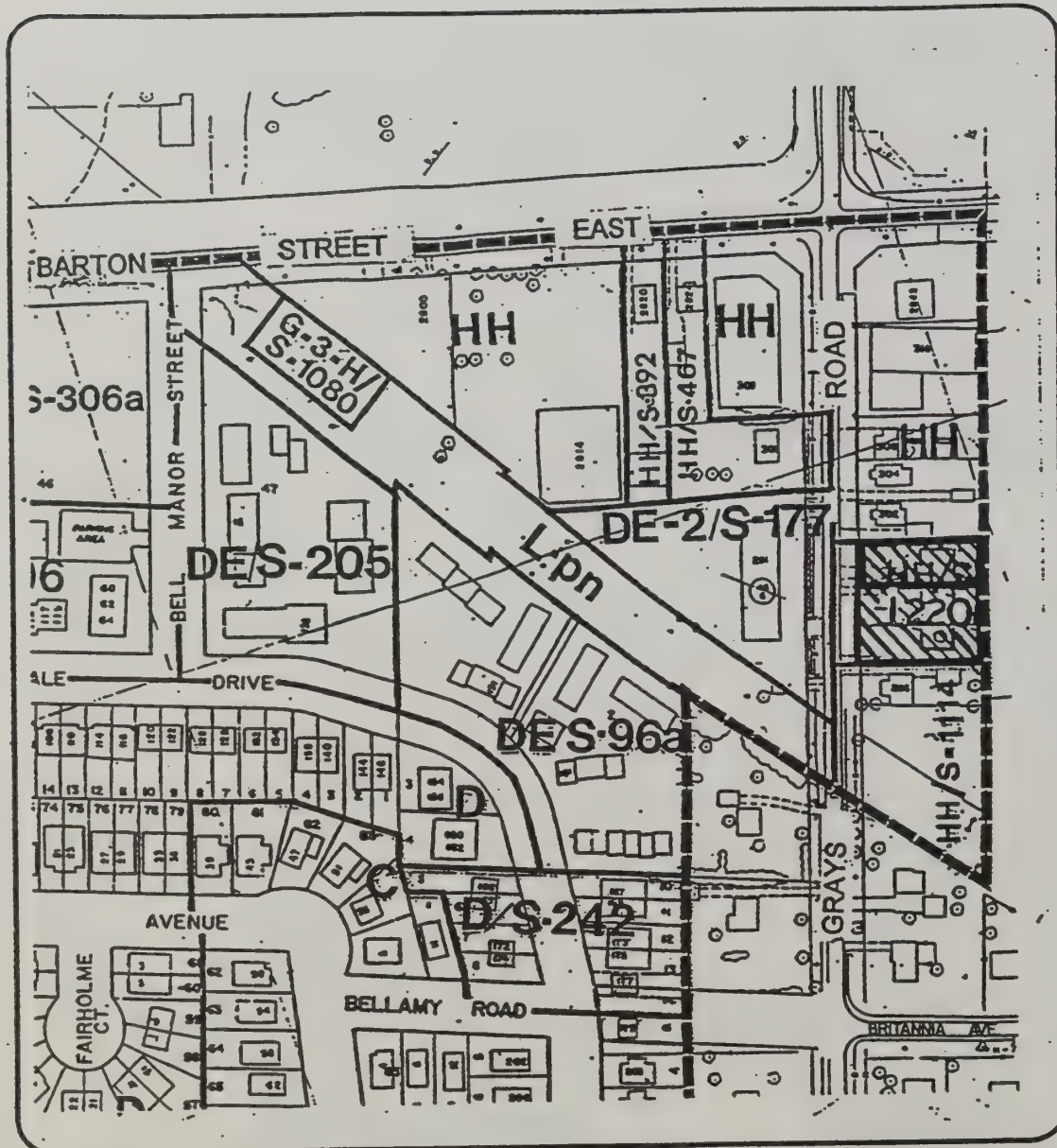


Location Map

From "E-3" (High Density Multiple Dwellings) District, modified, to "A" (Conservation, Open Space, Park and Recreation) District, modified

Technician:
D.L.

Appendix "B" as referred to in Section 2
of Report 06-00 and of the Minutes of the
Planning and Development Committee
for its meeting held March 22, 2000



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Site of Application

Reference file:

A-00:1

Scale

Not to Scale

Date

Mar., 2000

Technician:



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, March 21, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow - City business Region Finance and Administrative Services Committee Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, D. Wilson, M. Caplan, A. Sloat
Regrets:	Councillor A. Bain - City business
Also present:	Councillor T. Anderson, J. Bruzzese, L. Bourns, D. Powers, A. Ross, Fire Chief G. Peace, K. Nutley, A. Zuidema, M. Hill, J. Spiler, L. Gohier, R. Fair, H. Vastis, S. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. **Financing of West 5th Area Stormwater/Infrastructure Study (FIN00023)(Item15)**
 - (a) That as referred to in Section 4 of Report 03-00 of the Planning and Development Committee approved by City Council on February 8, 2000, the cost of the West 5th Area Stormwater Infrastructure Study in the amount of \$175,000 be funded from the Storm Sewer Reserve (Project ID 108010); and,

- (b) That as per the regulation made under the City of Hamilton Act, 1999, the project be referred to the Transition Board for consideration since it was not included in the approved 2000 Budget for capital projects.
- 2. **Association of Municipal Managers, Clerks and Treasurers of Ontario - Annual Meeting and Professional Development Institute - June 11 - 14, 2000 - Hamilton Convention Centre (CS00012)**
 - (a) That a contribution in the amount of \$5,000 to the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) be approved to assist with the presentation of their 62nd Annual Meeting and Professional Development Institute to be held at the Hamilton Convention Centre from June 11 - 14, 2000; and,
 - (b) That this contribution be financed from account COHAM 57242 265010 - Hosting of Conferences with Municipal Subject Content.
- 3. **Offer to Purchase - 90 Kinrade Avenue, Hamilton - Hamilton Habitat for Humanity (CS00013)**
 - (a) That an Offer to Purchase, executed by Hamilton Habitat for Humanity (T. Charters, Chairman). on January 29, 2000 and scheduled to close on or before June 30, 2000, for the vacant lands composed of part of Lot 115, and Lot 116 all on Registered Plan 76, being all of PIN # 17197-0289(LT), having a frontage of 19.69 metres (64.63 feet) more or less along the eastern limit of Kinrade Avenue, Hamilton, and a depth of 27.43 metres (90.0) feet more or less and an area of 534.9 square meters (5,557.7 square feet) more or less, known municipally as 90 Kinrade Avenue, Hamilton, Municipal Parking Lot 12B, be approved and completed and the funds derived from the sale in the amount of \$2.00 be credited to Account COHAM 47702-104095 (Off Street Parking Reserve); and
 - (b) That the sale to Hamilton Habitat for Humanity is conditional upon the City of Hamilton rezoning 90 Kinrade Avenue from the existing "G-3" zoning to a "D" zoning with modified parking requirements and that the closing date may be extended by 60 days in order to complete the zoning changes; and
 - (c) That the required deposit cheque in the amount of \$2.00 be held by the General Manager, Finance pending completion of this transaction; and
 - (d) That the amount required to fund the real estate commission on the sale of 90 Kinrade Avenue be funded from Hamilton Habitat for Humanities' existing balance of approximately \$12,303.13 in Centre # 10035 (Reserve for Property Purchase); and,

- (e) That the net proceeds that would have been received from the sale of 90 Kinrade Street in the amount of \$31,255.00 (the listing price of \$35,000 less 5% Commission and GST) be credited to the Parking Charge Financing Account COHAM 58165-490010 in order to write-down this portion of the outstanding debt balance of Parking Services; and
- (f) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and
- (g) That the City upon completion of this transaction shall pay a commission on the basis of 5% of the \$35,000 listing price plus GST (to total \$1,872.50) to John W. Harvey Real Estate Limited, whose agent Don Rankin acted in this matter; and
- (h) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by City Council on June 29, 1999, pursuant to Item 13 of the 6th report of the Transportation and Environment Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of this real property intended to be sold was obtained on May 29, 1999.

4. Sale of Surplus Property - part of 280 Lake Avenue North, Hamilton (CS00018)

- (a) That an Offer to Purchase Agreement, executed by Taresem Ryatt, President of Ramgarhia Association Hamilton, on March 10, 2000 and scheduled to close on or before July 12, 2000, for vacant lands being composed of part of Lot 25, Concession 1, in the geographic Township of Saltfleet, with a frontage of 20.23 metres (66.39 feet) more or less, along the easterly limit of Lake Avenue North and a depth of 104 metres (348 feet) more or less, containing an area of approximately 0.2 hectare (0.5 acre), municipally known as part of 280 Lake Avenue North, Hamilton, be approved at the purchase price of \$105,600 and this amount be credited to Account No. COHAM 47702 100035 (Reserve for Property Purchases – Land Sale).
- (b) That the Offer to Purchase is subject to the standard clauses on the City's Offer to Purchase document, plus a clause that was added for the benefit of the Purchaser, stating that parcel is zoned "A" -

Conservation, Open Space, Park and Recreation and that development of the property will require a re-zoning at the expense of the Purchaser.

- (c) That the required deposit cheque in the amount of \$8,500 is to be held by the General Manager, Finance pending completion of this transaction.
- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by resolution of City Council passed on January 25, 2000 with the adoption of Item 1 of Report 01-00 of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of the real property intended to be sold was obtained on February 21, 2000.

5. Sale of Surplus Property - 2418 Barton Street East (CS00016a)

- (a) That an Offer to Purchase Agreement, executed by Joe Frisina on March 16, 2000 and scheduled to close on or before December 15, 2000, for property located within part of Lot 27, Concession 2, in the geographic Township of Saltfleet, designated as Part 1, Plan 62R-4874, save and except Part 1, Plan 62R-8174, Part 1, Plan 62R-8513 and a one foot reserve across the entire rear lot boundary, being a parcel with a frontage of 40.68 metres (133.46 feet) more or less, along the southerly limit of Barton Street East and containing an area of approximately 0.692 hectares (1.71 acres) more or less, municipally known as 2418 Barton Street East, Hamilton, be approved at the purchase price of \$375,000 and this amount be credited to Account No. COHAM 47702 310055004 (Land Sale – Garage/Yards Rationalization Study); and,
- (b) That the required deposit cheque in the amount of \$37,500 is to be held by the General Manager, Finance pending completion of this transaction; and,
- (c) That the Offer to Purchase is subject to the standard clauses on the City's Offer to Purchase document which include clauses to the effect

that the property is being sold on an "as is" basis, with no warranties or representations by the vendor as to environmental conditions, utilities, fitness for purpose of zoning, building by-laws, park, road widening or other possible dedications, or as to charges, levies or other regulations of the City, Region, Utilities or other regulatory authorities.

In addition to the standard clauses are the following:

- (i) The Vendor at its expense will prepare a reference plan describing the property to be made available to the Purchaser at least 30 days prior to closing.
- (ii) The Vendor shall retain a one foot reserve across the entire width of the rear property boundary to prevent ingress and egress by vehicles from the subject industrial/commercial property onto Eastgate Court. Said one foot reserve will be shown on the reference plan prepared by the Vendor. The one foot reserve would be lifted and conveyed to the abutting owner at such time when the rear portion of the property is proposed to be developed for residential use as contemplated in the Neighbourhood Plan, subject to successful re-zoning of that area and the payment to the City and Region of servicing costs related to the development of Eastgate Court, which as of February 2000 were \$30,714.70.
- (iii) The Vendor agrees to pay a commission of 3% on the first \$250,000 of the selling price and 2.5% on the remaining portion of the selling price to the Purchaser's Real Estate Agent, Coldwell Banker Elite, (Joe Cosentino, Sales Representative), upon the closing of this transaction. In this instance, based on a total selling price of \$375,000 the amount of commission payable is \$10,625. Under no circumstances shall any commission be payable in the event this agreement is not completed.
- (iv) This Offer to Purchase agreement is conditional for a period of 60 days from the acceptance date, upon the Purchaser at its sole expense, arranging and obtaining an environmental assessment of the property to its satisfaction. Within said 60 day period, should the Purchaser not be satisfied with the environmental condition of the property, following its review and analysis of its environmental assessment, it may terminate this transaction upon written notice to the Vendor, in which case this transaction shall be at an end and the deposit money returned in full to the Purchaser without interest. This condition is included for the benefit of the Purchaser and may be waived at its option by notice in writing to the Vendor within the 60 day time period noted above. If no written notice is received by the

Vendor from the Purchaser within the 60 day period, it shall be assumed that the Purchaser is satisfied with the existing environmental condition of the property and intends to proceed to complete the transaction.

Within the said 60 day period, the Vendor agrees to allow the Purchaser and the Purchaser's authorized representative access from time to time, onto the subject property for the purpose of carrying out at the sole expense and risk of the Purchaser, such reasonable tests and inspections as the Purchaser and/or its authorized representative may deem necessary as long as the Purchaser makes good any damage occasioned thereby. Purchaser shall obtain consent for entry onto the property from the Acting Commissioner of Public Works and Traffic of the City of Hamilton, to minimize any disruption to the existing Public Works operation.

- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by resolution of City Council passed on February 29, 2000 with the adoption of Item 10 of Report 04-00 of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of the real property intended to be sold was obtained on December 23, 1999.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

6. Funding - Occupational Health and Safety Act (OHSA) Charges (C00300)(Item 23.1)

That the financing of additional costs for professional services rendered in relation to the Occupational Health and Safety Charges brought against the

City of Hamilton in the accidental death of Mr. P. Faustini in an amount not to exceed \$40,000 be funded from the Reserve for Contingency Account COHAM 58525 104015.

7. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-Law:

D-014 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes- Tuesday, March 7, 2000 (Item 11)

That the Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, March 7, 2000 be adopted.

(c) Information Items Listing (Item 15 and 22.1)

The Committee approved the receipt of the listing of Information Items forwarded to them under separate cover.

- (i) General Manager, Finance - Federal Budget 2000 (FIN00028)
- (ii) Correspondence-Township of Glanbrook - Provision of Services in the new City of Hamilton - dated March 8, 2000
- (iii) Correspondence - Township of Glanbrook - Information Requests - Restructuring - dated March 9, 2000
- (iv) Correspondence - Ministry of Municipal Affairs and Housing - Bill 11, the Red Tape Reduction Act, 1999 - dated March 9, 2000
- (v) Information Report - General Manager, Community Services - Impact of the potential closing of Henderson Hospital on the delivery of Fire Services within the City of Hamilton - dated March 8, 2000
- (vi) Information Report - General Manager, Community Services - Appointment of Deputy Chief - Operations, Hamilton Fire Department (CSC00038)

- (d) **Development Charges Act - Complaint - Lot 13, Plan 395, 80 Newlands Avenue (FIN00004)**

The Committee received and took no action on this matter.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:30 a.m. -

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
March 21, 2000**



REPORT

CITY OF HAMILTON Grants Committee

Tuesday, March 28, 2000
9:30 a.m.
Room 233, Hamilton City Hall

Present: Alderman M. Caplan (Chairman); Mayor R. Morrow,
Aldermen D. Wilson, B. Charters, T. Jackson

Also Present: Aldermen A. Horwath, R. Corsini, B. Morelli, T. Anderson
Dr. E. Richardson, J. Underwood, N. Catalano, C. Bian,
R. Fair, K. Duncliffe, K. Beattie, C. Biggs

Alderman M. Caplan, Chairman, called the meeting to order.

THE GRANTS COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. 2000 City Grants Budget (CG00001) (Item 2)

That the 2000 City Grants in the amount of \$317,570, be allocated as per
Appendix "A", a copy of which is available in the Office of the Municipal Clerk.
LOST. (See Section 2)

2. 2000 City Grants Budget (CG00001) (Item 2)

That the 2000 City Grants in the amount of \$302,320, be allocated as per
Appendix "B" attached hereto, as amended. ADDED

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Hamilton Artists Inc. – Request for Additional Funds (New Business)

That the correspondence dated January 21, 2000 from Ivan Jurakic, Administrative Director and Project Co-ordinator, Hamilton Artists Inc., requesting additional funds, be received.

**Alderman M. Caplan, Chairman
Grants Committee**

**Carolyn Biggs, Legislative Assistant
March 28, 2000**

ADDED
APPENDIX "B" AS
REFERRED TO IN SECTION
2 OF REPORT 01-00 OF THE
GRANTS COMMITTEE

APPENDIX I:

CITY GRANTS SUB-COMMITTEE

RECOMMENDATIONS FORWARDED TO CITY COUNCIL

APRIL, 2000

REV. MARCH 10/200

CHART 2000.WK 1

Hamilton City Council

CATEGORY	1999 GRANT \$	2000 REQUEST \$	2000 REC. \$	REC VS. 99 BUDGET \$	%
A Arts	31,840	157,000	27,340	(4,500)	-14.1%
B Culture	37,990	324,257	35,990	(2,000)	-5.3%
C Sports & Recreation	62,980	105,000	54,500	(8,480)	-13.5%
D General Grants	29,490	50,500	25,490	(4,000)	-13.6%
E One Time/Special Purpose	0	76,000	0	0	0.0%
F Capital	9,930	586,500	0	(9,930)	-100.0%
G PRE-COMMITTED FUNDS	161,000	159,000	159,000	(2,000)	
FINAL 2000 TOTALS	333,230	1,458,257	302,320	(30,910)	-9.0%

Minutes of March 28, 2000

GENERAL GRANTS PROGRAM
RECOMMENDATIONS FORWARDED TO CITY COUNCIL
APRIL, 2000

Hamilton City Council					2000 ITEMS
CATEGORY	99 BUDGET	2000 RECOM	2000 VARIANCE	% RECOM	TABLED
ARTS	31,840	27,340	(4,500)	-14.1%	
CULTURE	37,990	35,990	(2,000)	-5.3%	
SPORTS & RECREATION	62,980	54,500	(8,480)	-13.5%	
GENERAL GRANTS	29,490	25,490	(4,000)	-13.6%	
ONE TIME/SPECIAL PURPOSE	0	0	0	0.0%	
CAPITAL	9,930	0	(9,930)	0.0%	
PRE-COMMITTED FUNDS	161,000	159,000	(2,000)	0.0%	
TOTAL	333,230	302,320	(30,910)	-9.3%	0

2000 GRANTS BUDGET \$317,570
2000 RECOMMENDED TO DATE \$302,320

2000 REDUCTIONS ACHIEVED \$30,910
2000 REDUCTION REQUIRED \$15,660

(OVER)/UNDER TARGET \$15,250
LESS TABLED AMOUNTS \$0

2000 (OVER)/UNDER TARGET \$15,250

Minutes of March 28, 2000

2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

PAGE NO.	1999 GRANT	2000-2001 REQ	% REQ	2000-2001 RECOMMENDED	% REC	INITIAL 2000 RATING	INITIAL 2000 VARIANCE
A. ARTS							
CONQUEROR II DRUM & BUGLE \$ A-1	\$2,480	\$20,000	N/A	\$2,480	0%	2	\$0
JOHN LAING SINGERS A-2	\$3,000	\$4,000	33%	\$3,000	0%	2	\$0
HAMILTON ALL STAR JAZZ BAND A-3	\$5,000	\$10,000	100%	\$5,000	0%	2	\$0
HAMILTON ARTISTS INC. A-4	\$7,000	\$9,000	29%	\$7,000	0%	2	\$0
HAMILTON CONCERT BAND A-5	\$2,630	\$3,000	14%	\$2,630	0%	2	\$0
KIWANIS MUSIC FESTIVAL ** A-6	\$2,500	\$0	-100%	\$0	-100%	N/A	(\$2,500)
MUSIC IN THE CITY ** A-7	\$2,000	\$0	-100%	\$0	-100%	N/A	(\$2,000)
NAT INDIAN/INUIT PHOTOGRAPHY** A-8	\$4,750	\$15,000	216%	\$4,750	0%	2	\$0
SYMPHONY HAMILTON \$ A-9	\$2,480	\$12,000	384%	\$2,480	0%	2	\$0
TOTALS							
	\$31,840	\$157,000		\$27,340			(\$4,500)

* PROGRAM RECEIVED FUNDING FROM THE GENERAL GRANTS PROGRAM IN 98. RECEIVED ADVANCED FUNDING IN 99

\$ PROGRAM RECEIVED FUNDING FROM THE ADVANCED FUNDING PROGRAM IN 99

* PROGRAM HAS ALSO APPLIED TO THE REGION'S COMMUNITY GRANTS PROGRAM

** APPLICANT DID NOT RE-APPLY IN 2000

+ 20% MAXIMUM PER GENERAL GRANT GUIDELINES = \$8,100

++ 20% MAXIMUM PER GENERAL GRANT GUIDELINES = \$400.00

REVISED MARCH10/2000

NEW/NO BASE APPLICATIONS

67

CENTRAL CITY CHOIR + A-10	N/A	\$20,000	N/A	\$0	-100%	2	\$0
HAM.BALLET YTH ENS (CBYE)\$ A-11	N/A	\$50,000	N/A	\$0	-100%	2	\$0
HAM. CHILDREN'S CHOIR *\$ A-12	N/A	\$2,000	N/A	\$0	-100%	2	\$0
RIDGE RAIDERS DRUM & BUGLE A-13	N/A	\$10,000	N/A	\$0	-100%	2	\$0
VISUAL ARTISTS CENTRE ++ A-14	N/A	\$2,000	N/A	\$0	-100%	3	\$0
TOTALS							
	\$31,840	\$157,000		\$27,340			(\$4,500)

Minute of March 28, 2000

2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

Hamilton City Council

PAGE		1999	2000-2001	%	2000-2001	%	INITIAL	INITIAL 2000 VARIANCE	
NO.	GRANT	REQ	REQ	REQ	RECOMMENDED	REC	2000 RATING		
B. CULTURE									
	COMMUNITA RACALUMUTESE	B-1	\$5,000	\$30,000	500%	\$5,000	0%	2	\$0
	INDIA-CANADA SOCIETY	B-2	\$1,000	\$5,000	400%	\$1,000	0%	2	\$0
	FOLK ARTS HERITAGE * \$ +	B-3	\$2,490	\$60,000	2310%	\$2,490	0%	1	\$0
	HAM.CULT & ETHNIC MOSAIC ++	B-4	\$2,000	\$97,500	4775%	\$2,000	0%	2	\$0
	SERBIAN KOLO **	B-5	\$2,000	\$0	-100%	\$0	-100%	N/A	(\$2,000)
	TRINIDAD & TOBAGO ASSTN	B-6	\$500	\$9,500	1800%	\$500	0%	2	\$0
	WESLEY: KIRKENDALL ***	B-7	\$25,000	\$25,000	0%	\$25,000	0%	2	\$0
NEW/NO BASE APPLICATIONS									
	AFRICAN SUDANESE ASSTN	B-8	N/A	\$4,369	N/A	\$0	-100%	3	\$0
	AFRO CAN. CARIBBEAN ASSTN	B-9	N/A	\$25,000	N/A	\$0	-100%	2	\$0
	ARMENIAN COM CENTRE* +++	B-10	N/A	\$10,000	N/A	\$0	-100%	4	\$0
	DIVERSE COMM. ACHIEVEMENT*	B-11	N/A	\$10,000	N/A	\$0	-100%	2	\$0
	GREEK ORTHODOX CHURCH	B-12	N/A	\$5,000	N/A	\$0	-100%	3	\$0
	HAM. DRAGON BOAT RACES +++++	B-13	N/A	\$5,888	N/A	\$0	-100%	3	\$0
	HAM. MALAYALEE SAMAJAM	B-14	N/A	\$10,000	N/A	\$0	-100%	2	\$0
	POLO니아 CLUB *	B-15	N/A	\$15,000	N/A	\$0	-100%	2	\$0
	HELLENIC GREEK COMMUNITY	B-16	N/A	\$12,000	N/A	\$0	-100%	3	\$0
TOTALS						\$37,990	\$324,257	\$35,990	(\$2,000)

* APPLICANT HAS ALSO APPLIED TO THE REGION'S COMMUNITY GRANTS PROGRAM

** APPLICANT DID NOT RE-APPLY IN 2000

*** PROGRAM ALSO RECEIVES FUNDING FROM THE REGION'S COMMUNITY GRANTS PROGRAM

\$ PROGRAM ALSO RECEIVED FUNDING FROM THE ADVANCED FUNDING PROGRAM IN 99

* PROGRAM RECEIVED FUNDING FROM THE GENERAL GRANTS PROGRAM IN 99 FOR CAPITAL

* PROGRAM RECEIVED FUNDING FROM THE GENERAL GRANTS PROGRAM IN 98 & RECEIVED ADVANCED FUNDING IN 99

+ THE 20% MAXIMUM PER GENERAL GRANT GUIDELINES = \$31,112

++ THE 20 % MAXIMUM PER GENERAL GUIDELINES = \$19,500

+++ THE 20% MAXIMUM PER GENERAL GRANTS GUIDELINES = \$2000

++++ THE 20% MAXIMUM PER REGIONAL GUIDELINES = \$3,860

REVISED MARCH 10/2000

2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

PAGE NO.	1999 GRANT	2000-2001 REQ	% REQ	2000-2001 RECOMMENDED	% REC	INITIAL 2000 RATING	INITIAL 2000 VARIANCE
C. SPORTS & RECREATION							
HAM. & DIS BASEBALL ASSTN C-1	\$4,000	\$9,000	125%	\$4,000	0%	2	\$0
HAM. LACROSSE ASSTN * C-2	\$5,000	\$0	-100%	\$0	-100%	N/A	(\$5,000)
HAM. MINOR FOOTBALL ASSTN C-3	\$9,000	\$9,000	0%	\$9,000	0%	2	\$0
HAM. PONTIACS SOFTBALL C-4	\$500	\$800	60%	\$500	0%	2	\$0
HAM. SPECIAL NEEDS SKTNG * C-5	\$2,480	\$0	-100%	\$0	-100%	N/A	(\$2,480)
MOUNT HAM. SOCCER CLUB* C-6	\$1,000	\$0	-100%	\$0	-100%	N/A	(\$1,000)
ONT. VISUALLY IMPRD GOLFERS C-7	\$2,000	\$5,000	150%	\$2,000	0%	1	\$0
91ST HIGHLANDERS ASSTN C-8	\$39,000	\$50,000	28%	\$39,000	0%	2	\$0
NEW/NO BASE APPLICATIONS							
CONF. MARINE MODELLERS C-9	N/A	\$1,000	N/A	0	-100%	3	\$0
FAMEE FURLANE C-10	N/A	\$19,200	N/A	0	-100%	2	\$0
HAM HORNETS RUGBY C-11	N/A	\$1,000	N/A	0	-100%	2	\$0
INTERVAL HSE: REC. PRG. C-12	N/A	\$10,000	N/A	0	-100%	2	\$0
LAKELAND FAMILY POOL ** C-13	N/A	\$30,000	N/A	0	-100%		\$0
TOTALS	\$62,980	\$105,000		\$54,500			(\$8,480)

* APPLICANT DID NOT RE-APPLY IN 2000

** PROGRAM RECEIVED CAPITAL FUNDING IN 99.

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2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

Minutes of March 28, 2000

Hamilton City Council									
PAGE NO.	1999 GRANT	2000-2001 REQ	% REQ	2000-2001 RECOMMENDED	% REC	INITIAL 2000 RATING	INITIAL 2000 VARIANCE		
D. GENERAL GRANTS									
CONCESSION STREET BIA	D-1	\$1,000	3,000	200%	\$1,000	0%	2	\$0	
HAM. GALLERY OF DISTINCTION	D-2	\$3,000	\$8,000	167%	\$3,000	0%	2	\$0	
HAM. & DIS. LABOUR COUNCIL	D-3	\$1,000	\$1,000	0%	\$1,000	0%	2	\$0	
HAM. SAFETY COUNCIL	D-4	\$18,000	\$19,000	6%	\$18,000	0%	2	\$0	
JUNIOR ACHIEVEMENT *	D-5	\$4,000	\$0	-100%	\$0	-100%	N/A	(\$4,000)	
VOLUNTEER GEN: VOLWEEK\$	D-6	\$2,490	\$8,000	221%	\$2,490	0%	2	\$0	
NEW/NO BASE APPLICATIONS									
BARC: VOLUNTEER PLANTNG	D-7	N/A	\$1,500	N/A	0	-100%	2	\$0	
N-W COMMUNITY NET **	D-8	N/A	\$10,000	N/A	0	-100%	2	\$0	
TOTALS		\$29,490	\$50,500		\$25,490			(\$4,000)	

* APPLICANT DID NOT RE-APPLY IN 2000

** PROGRAM RECEIVED CAPITAL FUNDING IN 99

\$ PROGRAM RECEIVED FUNDING FROM THE ADVANCED FUNDING PROGRAM IN 99

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2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

Hamilton City Council

PAGE NO.	1999 GRANT	2000-2001 REQ	% REQ	2000-2001 COMMEND	% REC	INITIAL 2000 RATING	INITIAL 2000 VARIANCE
<u>E. ONE-TIME</u>							
<u>NEW/NO BASE APPLICATIONS</u>							
AFRICAN-CARIBPOTPOURRI	E-1	N/A	\$5,000	N/A	-100%	3	N/A
DOWNTOWN BLOCK PARTY *	E-2	N/A	\$16,000	N/A	-100%	1	N/A
REV. JOHN C. HOLLAND AWARDS	E-3	N/A	\$5,000	N/A	-100%	2	N/A
PEACE RESEARCH INSTIT.	E-4	N/A	\$20,000	N/A	-100%	2	N/A
ST. ANTHONY'S FEAST	E-5	N/A	\$30,000	N/A	-100%	3	N/A
TOTALS							\$0

* APPLICANT HAS ALSO APPLIED TO THE REGION'S COMMUNITY GRANT PROGRAM

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2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

PAGE NO.	1999 GRANT	2000-2001 REQ	% REQ	2000-2001 RECOMMENDED	% REC	INITIAL 2000 RATING	INITIAL 2000 VARIANCE
<u>EXISTING REQUESTS</u>							
F-1	ARMENIAN COM. CENTRE	\$0	-100%	\$0	-100%	N/A	(\$2,480)
F-2	HW COMMUNITY NET	\$0	-100%	\$0	-100%	N/A	(\$2,480)
F-3	LAKELAND FAMILY POOL *	(\$35,000)	-100%	\$0	-100%	N/A	\$0
F-4	NEW HAMILTON ORCHESTRA	\$2,490	-100%	\$0	-100%	N/A	(\$2,490)
F-5	PORTUGUESE HALL (ST. MARY'S)	\$2,480	-100%	\$0	-100%	N/A	(\$2,480)
<u>NEW/NO BASE APPLICATIONS</u>							
F-6	HAMILTON THEATRE INC.	\$7,500	N/A	\$0	-100%	1	\$0
F-7	PLAYERS GUILD	\$100,000	N/A	\$0	-100%	2	\$0
F-8	WESLEY URBAN MINISTRIES	\$179,000	N/A	\$0	-100%	1	\$0
F-9	YWCA	\$300,000	N/A	\$0	-100%	2	\$0
TOTALS		\$9,930		\$586,500			(\$9,930)

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* FUNDED THROUGH OTHER SOURCES THAN THE GENERAL GRANTS BUDGET.

Minutes of March 28, 2000

2000/2001 INFORMATION SUMMARY -- GENERAL GRANTS PROGRAM

PAGE NO.	1999 GRANT	2000-2001 REQ	% REQ	2000-2001 RECOMMENDED	% REC	INITIAL 2000 RATING	INITIAL 2000 VARIANCE
G.PRE-COMMITTED FUNDS							
TAX SUBSIDY PUBLIC HOUSING	\$118,000	\$115,000	-3%	\$115,000	-3%	N/A	
LEASE -- MCMASTER/MOHAWK	\$11,000	\$11,500	5%	\$11,500	5%	N/A	
ADVERTISING-GRANT WRKSHIP	\$1,000	\$1,000	0%	\$1,000	0%	N/A	
CHRISTMAS LIGHT POLICY BIAS	\$6,000	\$6,500	8%	\$6,500	8%	N/A	
CONVENTION/RECEPTION GRNTE	\$25,000	\$25,000	0%	\$25,000	0%	N/A	
TOTALS	\$161,000	\$159,000		\$159,000			(\$2,000)

REVISED MARCH 10/2000



MINUTES

CITY OF HAMILTON COMMITTEE OF THE WHOLE\CITY COUNCIL

Thursday, March 30, 2000
11:55 a.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, R. Corsini, D. Haining,
B. Morelli, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, T. Jackson, B. Charters, F. D'Amico,
D. O'Sullivan.

Regrets: Alderman A. Horwath - Civic Business
Alderman T. Anderson - Civic Business
Alderman B. Kelly - Civic Business

Mayor R. M. Morrow called the meeting to order.

Re: Waiving of Rule 3(d) - Notice for calling a special meeting of Council

It was moved by Alderman Caplan and seconded by Alderman Corsini that Rule No. 3 (d) of the City of Hamilton Procedural By-law respecting the requirement of notice for calling a special meeting be waived. **CARRIED.**

It was moved by Alderman Corsini and seconded by Alderman Caplan that Council move into Committee of the Whole to consider a resolution respecting the lease agreement for the Sheraton Hotel with Mayor Morrow in the chair.

CARRIED.

RESOLUTION

Lease Agreement – Sheraton Hotel
Bill No. E-005

Re: Motion presented to City Council

- (a) That the City, as Landlord of the Sheraton Hotel, 116 King Street West, (pursuant to the Ground Lease dated 1983 May 3rd, as amended, the "Lease") grant consent to each of the transactions identified in clause (b) below which includes the City's consent to: the shares in GGS being transferred to Allied and from Allied to Starwood Canada Corp., ("Starwood").
- (b) That consent be granted to the following transactions in respect of the Lease of the Hotel, subject to the conditions of approval expressed in this resolution:
 - (i) Allied Corporate Holdings S.A. ("Allied") acquires all of the shares in GGS Hotel Holdings Canada Inc. ("GGS"); and,
 - (ii) 3682153 Canada Inc. acquires the leasehold mortgage of the Ground Lease from the Resolution & Collection Corporation (Japan), (which Corporation is the successor Chigin-Seiho Housing Loan Co. Ltd.); and,
 - (iii) 3682153 Canada Inc. discharges the leasehold mortgage; and
 - (iv) Allied transfers all its shares in GGS to Starwood Canada Corp, (GGS therefore remains the tenant of the City — only now as the wholly owned subsidiary of Starwood); and,
 - (v) upon the share transfer to Starwood referred to above, the City requires that Starwood shall enter into an Agreement with the City to guarantee that Starwood's new subsidiary GGS shall perform all lease obligations; and,
 - (vi) GGS grants a leasehold mortgage of the Hotel to the Toronto-Dominion Bank as security for a loan to Starwood in the amount of \$8,000,000.00 and that the City, the said bank and GGS execute and deliver the agreement required pursuant to section 16.01 of the Lease; and,
 - (vii) GGS, the City's tenant, amalgamates with its shareholder Starwood to form one company, known as Starwood, (as a result, Starwood,

itself, becomes the Hotel tenant of the City); Starwood shall, within three days of the amalgamation, give written notice of the amalgamation, including a notarial copy of the amalgamation documents to the Municipal Clerk and, within one month of such notice, enter into an agreement with the Lessor to assume the obligations of the Lease; such agreement to be registered on title by the lessee; and,

- (c) That the Mayor and Municipal Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the other documents referred to in this resolution and the following documents:

- (i) an Estoppel Certificate addressed to GGS and Starwood, regarding the Ground Lease and regarding such other agreements with the Hotel as the Corporate Counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporation Counsel; and,
- (ii) documents in a form satisfactory to Corporate Counsel, to release and discharge from title those Hotel related Agreements that have been completed and/or have ceased to apply to the Hotel, in the opinion of the City Manager; and,
- (iii) that the City, in its discretion, consider entering into one comprehensive lease document which shall incorporate and re-state all of the tenant's lease obligations and lease terms in one document; (presently the lease obligations and terms are the subject of numerous amending agreements entered into by the City and the tenant over the past twenty years regarding the Hotel, some of which have been partially amended or discharged); and,

- (d) That the City agree to accept from GGS in respect of the City's contribution as lessor to the construction costs of the sub basement storage level of the Hotel, as additional rent payable under the Ground Lease, the following:

- the sum of \$365,000 to the City upon closing of the share transfers; and,
- payments of increased additional rent over the next 25 years, as follows:
 - for the next 10 years, \$60,000. per year;
 - for the following 5 years, \$100,000. per year;
 - for the following 5 years, \$130,000. per year;
 - for the last 5 years of the 25 year repayment period, \$160,000. per year;

- each of the said annual payments of additional rent to be paid in quarterly installments at the end of each quarter; and,
 - interest would be payable at the rate provided for in section 3.09 of the Lease (which section shall be revised to refer to such other financial institution then acting as banker for the City) on any payment not received on the due date;
 - the said additional rent becomes immediately due and payable in full should: (1) the hotel not continue to be operated as a Sheraton or as a full service first class hotel, or (2) should the lease be in default, including default of payments or the Lease be terminated; such recovery to be in accordance with the default provisions of the Lease; and,
 - the said additional rent shall not be a matter for re-negotiation under sec. 3.11 of the Lease;
- (e) That the Ground Lease be further amended by an amendment agreement to be entered into by GGS with the City on or before the said sale of the shares, in a form satisfactory to Corporate Counsel:
- (i) to implement the said revised sub basement storage contribution re-payment provisions outlined in (d) above; and,
 - (ii) to have the City receive the covenant of the tenant,
 - (aa) that (without limiting other provisions of the Lease on this subject), the Hotel shall be operated as a first class full service hotel by the tenant under the Sheraton name as a Sheraton Hotel; subject to the existing provision of the Lease which permits the tenant to apply for the Lessor's approval to change from Sheraton to another name, such approval to not be unreasonably withheld;
 - (bb) that during the next four years, the tenant shall invest a minimum of three million dollars in capital improvements to the Hotel, with a minimum capital investment of \$750,000 in each of the next three years, ; and,
 - (iii) to replace ITT Industries Canada Limited with Starwood Canada Corporation as the "Hotelier" and to replace the "Hotel Agreement" attached to and forming part of the Hotel Management Amending Agreement dated 1989 April 15th, with the Agreement under which Starwood Canada Corporation retains and uses the Sheraton name, provided such Agreement is submitted and satisfactory to the City; and,

- (iv) to provide that, while Starwood is the tenant, section 22.09 of the Lease be deleted; and,
 - (v) that section 22.13 of the Ground Lease providing for limited recourse, be deleted and that the lease be amended to include additional remedial provisions as are customary in a commercial recourse lease, in a form satisfactory to the Corporate Counsel. and,
with the right of the assigning tenant to be released from the Ground lease as long as no default exists and the new approved tenant binds itself to the Lessor;
- (f) That the City's consent and approval of the said transactions is also subject to the following conditions of approval:
 - (i) prior to each transaction, certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents as the Corporate Counsel and its legal advisers may also require; and,
 - (ii) registration on closing of the said share transfers of discharges of all documents on title in favour of 3682153 Canada Inc., Resolution and Collection Corporation and Chigin-Seiho Housing Loan Co. Ltd. and related security documents, such discharges to be in a form satisfactory to Corporate Counsel; and,
 - (iii) GGS shall pay the costs of the City's external legal counsel and financial consultant retained to advise the City on the proposed sales to Chip Reit, to CP Hotels/Delta and to Starwood Canada Corporation upon receipt of such accounts from the City, and in any event, on or before closing of the share transfer; and,
- (g) That these approvals listed above only be effective in respect of the said named parties and the said transactions and only during the period ending 2000 April 28, and,
- (h) That the transactions outlined in clause (b) (i) to (v) shall be carried out in successive transactions to be closed together; and,
- (i) That at the request of Allied, Council's prior approvals regarding the Hotel Lease adopted on February 11 as amended on February 29, 2000, be rescinded

- (j) That this resolution shall take effect and come into force upon its approval by the Transition Board and staff are hereby authorized to submit this resolution to the Board.

Re: Section (e) (ii) (aa)

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Section (e) (ii) (aa) of the resolution be amended to add the following after the word "operated" in the second line "and maintained at the existing current standard or higher as a full service first class hotel". **CARRIED.**

Re: Section (f) (iv)

It was moved by Alderman Charters and seconded by Alderman Wilson that the following section (f) (iv) be added:

- (iv) That Starwood be required to submit its Financial Statements to the General Manager, Finance in order that the General Manager, Finance may be satisfied that Starwood has sufficient capital, equity and income to perform the obligations of the hotel ground lease. **CARRIED.**

Motion as amended.

It was moved by Alderman Charters and seconded by Alderman Wilson

- (a) That the City, as Landlord of the Sheraton Hotel, 116 King Street West, (pursuant to the Ground Lease dated 1983 May 3rd, as amended, the "Lease") grant consent to each of the transactions identified in clause (b) below which includes the City's consent to: the shares in GGS being transferred to Allied and from Allied to Starwood Canada Corp., ("Starwood").
- (b) That consent be granted to the following transactions in respect of the Lease of the Hotel, subject to the conditions of approval expressed in this resolution:
 - (i) Allied Corporate Holdings S.A. ("Allied") acquires all of the shares in GGS Hotel Holdings Canada Inc. ("GGS"); and,

- (ii) 3682153 Canada Inc. acquires the leasehold mortgage of the Ground Lease from the Resolution & Collection Corporation (Japan), (which Corporation is the successor Chigin-Seiho Housing Loan Co. Ltd.); and,
 - (iii) 3682153 Canada Inc. discharges the leasehold mortgage; and
 - (iv) Allied transfers all its shares in GGS to Starwood Canada Corp, (GGS therefore remains the tenant of the City — only now as the wholly owned subsidiary of Starwood); and,
 - (v) upon the share transfer to Starwood referred to above, the City requires that Starwood shall enter into an Agreement with the City to guarantee that Starwood's new subsidiary GGS shall perform all lease obligations; and,
 - (vi) GGS grants a leasehold mortgage of the Hotel to the Toronto-Dominion Bank as security for a loan to Starwood in the amount of \$8,000,000.00 and that the City, the said bank and GGS execute and deliver the agreement required pursuant to section 16.01 of the Lease; and,
 - (vii) GGS, the City's tenant, amalgamates with its shareholder Starwood to form one company, known as Starwood, (as a result, Starwood, itself, becomes the Hotel tenant of the City); Starwood shall, within three days of the amalgamation, give written notice of the amalgamation, including a notarial copy of the amalgamation documents to the Municipal Clerk and, within one month of such notice, enter into an agreement with the Lessor to assume the obligations of the Lease; such agreement to be registered on title by the lessee; and,
- (c) That the Mayor and Municipal Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the other documents referred to in this resolution and the following documents:
- (i) an Estoppel Certificate addressed to GGS and Starwood, regarding the Ground Lease and regarding such other agreements with the Hotel as the Corporate Counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporation Counsel; and,
 - (ii) documents in a form satisfactory to Corporate Counsel, to release and discharge from title those Hotel related Agreements that have

been completed and/or have ceased to apply to the Hotel, in the opinion of the City Manager; and,

- (iii) that the City, in its discretion, consider entering into one comprehensive lease document which shall incorporate and re-state all of the tenant's lease obligations and lease terms in one document; (presently the lease obligations and terms are the subject of numerous amending agreements entered into by the City and the tenant over the past twenty years regarding the Hotel, some of which have been partially amended or discharged); and,
- (d) That the City agree to accept from GGS in respect of the City's contribution as lessor to the construction costs of the sub basement storage level of the Hotel, as additional rent payable under the Ground Lease, the following:
 - the sum of \$365,000 to the City upon closing of the share transfers; and,
 - payments of increased additional rent over the next 25 years, as follows:
 - for the next 10 years, \$60,000. per year;
 - for the following 5 years, \$100,000. per year;
 - for the following 5 years, \$130,000. per year;
 - for the last 5 years of the 25 year repayment period, \$160,000. per year;
 - each of the said annual payments of additional rent to be paid in quarterly installments at the end of each quarter; and,
 - interest would be payable at the rate provided for in section 3.09 of the Lease (which section shall be revised to refer to such other financial institution then acting as banker for the City) on any payment not received on the due date;
 - the said additional rent becomes immediately due and payable in full should: (1) the hotel not continue to be operated as a Sheraton or as a full service first class hotel, or (2) should the lease be in default, including default of payments or the Lease be terminated; such recovery to be in accordance with the default provisions of the Lease; and,
 - the said additional rent shall not be a matter for re-negotiation under sec. 3.11 of the Lease;
- (e) That the Ground Lease be further amended by an amendment agreement to be entered into by GGS with the City on or before the said sale of the shares, in a form satisfactory to Corporate Counsel:

- (i) to implement the said revised sub basement storage contribution re-payment provisions outlined in (d) above; and,
- (ii) to have the City receive the covenant of the tenant,
 - (aa) that (without limiting other provisions of the Lease on this subject), the Hotel shall be operated and maintained at the existing current standard or higher as a first class full service hotel by the tenant under the Sheraton name as a Sheraton Hotel; subject to the existing provision of the Lease which permits the tenant to apply for the Lessor's approval to change from Sheraton to another name, such approval to not be unreasonably withheld;
 - (bb) that during the next four years, the tenant shall invest a minimum of three million dollars in capital improvements to the hotel, with a minimum capital investment of \$750,000 in each of the next three years; and,
- (iii) to replace JIT Industries Canada Limited with Starwood Canada Corporation as the "Hotelier" and to replace the "Hotel Agreement" attached to and forming part of the Hotel Management Amending Agreement dated 1989 April 15th, with the Agreement under which Starwood Canada Corporation retains and uses the Sheraton name, provided such Agreement is submitted and satisfactory to the City; and,
- (iv) to provide that, while Starwood is the tenant, section 22.09 of the Lease be deleted; and,
- (v) that section 22.13 of the Ground Lease providing for limited recourse, be deleted and that the lease be amended to include additional remedial provisions as are customary in a commercial recourse lease, in a form satisfactory to the Corporate Counsel. and,
with the right of the assigning tenant to be released from the Ground lease as long as no default exists and the new approved tenant binds itself to the Lessor;
- (f) That the City's consent and approval of the said transactions is also subject to the following conditions of approval:
 - (i) prior to each transaction, certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents

as the Corporate Counsel and its legal advisers may also require;
and,

- (ii) registration on closing of the said share transfers of discharges of all documents on title in favour of 3682153 Canada Inc., Resolution and Collection Corporation and Chigin-Seiho Housing Loan Co. Ltd. and related security documents, such discharges to be in a form satisfactory to Corporate Counsel; and,
 - (iii) GGS shall pay the costs of the City's external legal counsel and financial consultant retained to advise the City on the proposed sales to Chip Reit, to CP Hotels/Delta and to Starwood Canada Corporation upon receipt of such accounts from the City, and in any event, on or before closing of the share transfer; and,
 - (iv) That Starwood be required to submit its Financial Statements to the General Manager, Finance in order that the General Manager, Finance may be satisfied that Starwood has sufficient capital, equity and income to perform the obligations of the hotel ground lease.
- (g) That these approvals listed above only be effective in respect of the said named parties and the said transactions and only during the period ending 2000 April 28, and,
 - (h) That the transactions outlined in clause (b) (i) to (v) shall be carried out in successive transactions to be closed together; and,
 - (i) That at the request of Allied, Council's prior approvals regarding the Hotel Lease adopted on February 11 as amended on February 29, 2000, be rescinded
 - (j) That this resolution shall take effect and come into force upon its approval by the Transition Board and staff are hereby authorized to submit this resolution to the Board.

CARRIED.

Re: Adoption of Bill E-005

It was moved by Alderman Corsini and seconded by Alderman Caplan that the following Bill be adopted, signed, sealed and enrolled as a By-law:

Bill E-005: Confirming By-law

E-005 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 12:20 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson,
Acting Municipal Clerk
March 30, 2000**



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, April 11, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

APR 18 2000

GOVERNMENT DOCUMENTS

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Imam Abdur Raouf Sanni, Islamic Mosque, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Wildcats Minor Bantam Boys Basketball Team who won the "AAA" Provincial Championship.

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Transway Atom Girls Basketball Team who won the "AAA" Provincial Championship.

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Special Olympics Figure Skating for winning the 2000 National and Provincial Championships. In attendance were: Julie Burdis, David Mullally and Nicki Turner.

ADOPTION OF MINUTES

The Minutes of the meetings held March 28, 2000 (regular) and March 30, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated March 31, 2000 from Locane Holdings Inc., 550 Fennell Avenue East, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District, modified for 12-14 Brantdale Avenue, Hamilton.

Received.

2. Application dated April 4, 2000 from M.C.G.W. Properties Corp., 130 Dearborn Place, Waterloo for a modification to the "HH" (Restricted Community Shopping and Commercial etc.) District for 544 Limeridge Road East, Hamilton, Ontario.

Received.

3. Letter dated April 10, 2000 from Terry Stortz respecting Cash-in-lieu of parking for 210-214 Locke Street South, Hamilton. This item is also referred to in Section 6 of Report 07-00 of the Planning and Development Committee.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Hamilton-Scourge Steering Committee, the City of Hamilton Licensing Committee, and the Grants Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 06-00

Section 7 Re: Committee of Adjustment – Brampton Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE – REPORT 06-00

Section 3 Re: Ivor Wynne Stadium

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. –12.

NAYS: Aldermen Copps, Wilson, Charters, Jackson, Anderson. -5. **CARRIED.**

Section 8 Re: Aquafest

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Jackson. -1.

CARRIED.

Section 10 Re: Taste of Hamilton

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 14 Re: Scott Park Hockey

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 07-00

Section 6 (a) Re: 210-214 Locke Street South – Cash-in-Lieu of Parking

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 08-00

Section 4 Re: R.R.A.P.

It was moved by Alderman Horwath and seconded by Alderman Corsini that Item 4 of Report 08-00 of the Planning and Development Committee be amended by adding the following after the word "RRAP" in the second line:

"and downtown Grant and Loan Programs for conversion to residential and façade improvements."
CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 08-00

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 09-00

Section 1 Re: 74 Hughson Street South

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Caplan, Eisenberger. - 2.

CARRIED.

HAMILTON-SCOURGE STEERING COMMITTEE – REPORT 01-00

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 03-00

GRANTS COMMITTEE – REPORT 02-00

Section 1 (b) (i) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

* * * * *

Section 1 (b) (ii) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

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Section 1 (b) (iv) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

* * * * *

Section 1 (b) (v) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Hamilton-Scourge Steering Committee, the City of Hamilton Licensing Committee, and the Grants Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:15 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson,
Acting Municipal Clerk
April 11, 2000
KCC/dg**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, April 3, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen M. Kiss, A. Horwath, B. Morelli, T. Anderson, F. D'Amico
Regrets:	Mayor R. M. Morrow – City Business Alderman T. Jackson – Personal Business
Also Present:	Alderman M. Caplan C. Guthro, M. Hazell, T. Gill, K. Extance, B. Price, C. Biggs
Alderman C. Collins, Chairperson, called the meeting to order.	

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 06-00 AND RESPECTFULLY RECOMMENDS:

1. **Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – April 3, 2000 (PWT00076) (Item 4.1)**

That the requests for routine amendments, attached hereto as Appendix "A", be approved, and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

2. **Bayfront and Mohawk Bus Routes - Bus Stop Relocation (PWT00068) (Item 4.2)**

(a) That the following Hamilton Street Railway bus stop be relocated:

Routes #4 Bayfront and #41 Mohawk

Delete	Eastbound	Beach Road, south side, 23 feet west of Albermarle Street (N/S); and
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Add	Eastbound	Beach Road, south side, 46 feet east of Albermarle Street (F/S)
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- (b) That the City Traffic By-law 89-72 be amended accordingly.

3. **Mohawk Bus Route - Bus Stop Relocation (PWT00070)** (Item 4.3)

- (a) That the following Hamilton Street Railway bus stop be relocated:

Routes #41 Mohawk

Delete -	Eastbound	Beach Road, south side, 26 feet west of Woodleigh Avenue (N/S); and
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Add -	Eastbound	Beach Road, south side, 72 feet east of Woodleigh Avenue (F/S);
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- (b) That the City Traffic By-law 89-72 be amended accordingly.

4. **Bayfront and Parkdale Bus Routes - Bus Stop Removal and Relocation (PWT00074)** (Item 4.4)

- (a) That the following Hamilton Street Railway bus stops be removed and relocated:

Routes #4 Bayfront and 11 Parkdale

Delete	Westbound	Brampton Street, north side, 167 feet west of Woodward Avenue (F/S); and
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Delete	Northbound	Dunn Avenue, east side, 33 feet south of Mead Avenue (N/S); and
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Delete	Northbound	Dunn Avenue, east side, 23 feet south of Glow Avenue (N/S); and
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Delete	Westbound	Glow Avenue, north side, 20 feet east of Dunn Avenue (N/S); and
Add	Westbound	Glow Avenue, north side, 252 feet west of Woodward Avenue (M/B)

- (b) That the City Traffic By-law 89-72 be amended accordingly.

5. **Intersection of Lake Avenue and South Service Road (TOE00005) (Item 4.5)**

That a traffic signal be installed at the intersection of Lake Avenue and South Service Road, and the works be charged to the Traffic Signal Modernization and Installation Account.

6. **To Incorporate Certain City Land into Various Streets by By-laws (TOE00006) (Item 4.6)**

- (a) That the following City land be incorporated into the following streets:

Chesley Street	Part 3, save and except Part 2	62R-13389 62R-14168
Jacqueline Boulevard	Block 30	62M-866
Magenta Court	Block 29	62M-866
Roland Road	Block BX	62M-131
Claudette Gate	Block CX	62M-131

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;
- (c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

7. **Hamilton Bio-Conversion Inc., 2380 Brampton Street – Application to Amend Certificate of Approval No. A650025 for a Waste Disposal Site (Processing) (PDC99072a) (Item 3)**

- (a) That the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that the City of Hamilton has no comments on the proposed

amendment to Certificate of Approval No. A650025 for the facility known as Hamilton Bio-Conversion Inc. located at 2380 Brampton Street, as shown on the map attached hereto as Appendix "B"; and,

- (b) That Hamilton Bio-Conversion be requested to continue to undertake stack emissions testing on an on-going basis, and that the results of such testing be made available to the Committee upon request; and,
- (c) That a copy of this report be forwarded to the West Central Branch and the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration; and,
- (d) That the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be requested to forward a copy of the decision respecting the proposed Amendment to the Certificate of Approval for Hamilton Bio-Conversion to the Municipal Clerk, City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

8. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-019 A By-law to incorporate city land designated as Part of Block 30 on Plan 62M-710, being Part 3 on Plan 62R-13389, save and except Part 2 on Plan 62R-14168, into Chesley Street
- (b) A-020 A By-law to incorporate City land designated as Block 30 on Plan 62M-866, into Jacqueline Boulevard
- (c) A-021 A By-law to incorporate City land designated as Block 29 on Plan 62M-866, into Magenta Court
- (d) A-022 A By-law to incorporate City land designated as Block "BX" on Plan 62M-131, into Roland Road
- (e) A-023 A By-law to incorporate City land designated as Block "CX" on Plan 62M-131, into Claudette Gate

- (f) A-024 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (g) A-025 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - March 6, 2000 (Item 2)

That the Minutes of the meeting of the Transport and Environment Committee held on March 6, 2000, be adopted.

(c) Request from Mr. K. Gonnsen, P.Eng., Metropolitan Consulting, to address the Committee respecting Hamilton Bio-Conversion Inc. (Item 3)

Mr. K. Gonnsen of Metropolitan Consulting, on behalf of Hamilton Bio-Conversion, updated the Committee on actions taken by the company in terms of community consultation and modifications to the process to address the concerns of the neighbourhood residents.

(d) Information Items (Item 4.7)

That the following items be received:

- (i) Hess Street Roadway Repairs (TOE00004/RDS00029)
- (ii) Pesticide Use in City Parks (PWT00035a)

Note: The meeting of the Transport and Environment Committee adjourned at 9:45 a.m.

Alderman C. Collins, Chairman
Transport and Environment Committee

Carolyn Biggs, Legislative Assistant
April 3, 2000

Appendix "A" as referred to in Section 1
of Report 06-00 of the Transport and
Environment Committee

Ward 1

- (a) Judy Robertson, 23 Strathcona Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Strathcona in front of her residence, since she is disabled. There is off-street parking at 23 Strathcona Avenue, however, it is reserved for the landlord who also resides there. Staff, therefore, concurs with Ms. Robertson's request.
- (b) Alex Alexander, 29 Strathcona Avenue, has requested that the existing reserved "Permit Parking" regulation on the east side of Strathcona in front of his home be removed as he no longer drives.
- (c) Mark Skuse, 31 Miles Court, has requested that northbound stop control be implemented at the "T" type intersection of Miles and South.

Ward 2

- (a) Alderman Ron Corsini has advised that the full-time "No Parking" regulation on the north side of Ferrie, east of Mary, is no longer required. The subject regulation was implemented for the benefit of Norris Transport Ltd., to accommodate truck access and egress to their property at 120 Ferrie Street. However, since Norris Transport has vacated the property, staff recommends that the subject "No Parking" regulation be removed.
- (b) City Council recently approved a request from Path Employment Services to relocate the full-time "Wheelchair Loading Zone" regulation from the east side of Ferguson, north of King William, to a new location adjacent to 140 King Street East. However, staff has been advised that the "Wheelchair Loading Zone" regulation is still required on the east side of Ferguson by other tenants in the building and therefore recommends that the regulation be reinstated.
- (c) Gail Redbourne, Associates in Hair, 242 Jackson Street East, has requested that the existing "One Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation on the north side of Jackson between Spring and Wellington be changed to a "Three Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation.
- (d) Steve Rudaniecki, 183 Caroline Street North, has requested that the existing reserved "Permit Parking" regulation on the west side of Caroline in front of his home be removed as his mother has passed away.

- (e) Reverend Larry Cowper from the Central Presbyterian Church, 165 Charlton Avenue West, has requested that a "15 Minute Parking Time Limit, 8:00 am to 6:00 pm, Sundays Only" regulation be implemented on the west side of Caroline, adjacent to the church, commencing 113 feet south of Charlton and extending 38 feet southerly therefrom.
- (f) Staff has received a petition signed by 10 of the 16 homes abutting MacNab between Simcoe and Ferrie requesting that a full-time "One Hour Parking Time Limit" regulation be implemented on the east side of MacNab in this block. Staff has contacted one additional resident. Ten of the residents are in favour of the requested regulation and one is opposed.
- (g) Juliana Duféal, 141 Elgin Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Elgin directly in front of her home since she is disabled.

Ward 3

- (a) Alderman Bernie Morelli has forwarded a petition signed by representatives of 11 of the 18 homes abutting Munroe between Niagara and Hillyard requesting that the existing full-time "One Hour Parking Time Limit" regulation be removed from the north side of the street in this block. All 11 of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking. Staff has contacted one additional resident and has been advised that they have no opinion in regard to the request.
- (b) Ray Lachapelle, owner of Food Town Grocery Store, 653 Barton Street East, has requested that the four existing parking meters on the east side of Earl adjacent to his business be replaced with a "Commercial Vehicle Loading Zone, 8:00 am to 8:00 pm, Monday to Saturday" regulation to facilitate loading and unloading by transport trucks. There is an existing off-street parking area at the rear of this business for customer parking, therefore, staff concurs with the request.

Ward 4

- (a) Colleen Sadonoja, 347 Fairfield Avenue, has requested that a "Wheelchair Loading Zone, 9:00 am to 5:00 pm, Monday to Friday" regulation be implemented on the west side of Fairfield, directly in front of her home, since her grandmother requires the use of DARTS vehicles.
- (b) Staff has received a petition signed by representatives from all four of the homes abutting Normandy between Rodgers and Auburn requesting that an "Alternate Side Parking" regulation be reinstated in this block. City Council recently approved the abutting resident's request to replace the "Alternate

Side Parking" regulation with a full-time "No Parking" regulation on the north side and a "One Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation on the south side of the street. The signs were changed shortly thereafter. The residents wish to maintain the parking time limit restriction. Staff has no serious objections with this request.

- (c) Principal Forbeck and a representative of the Parent Council for W.H. Ballard School have requested that the existing "No Parking" regulation on the east side of Tragina and the west side of Weir, north of Dunsmure and adjacent to W.H. Ballard School, be changed to a "No Stopping" regulation to prohibit parents from stopping in this area.

Ward 5

- (a) Alderman Fred Eisenberger has advised of requests from Dominic Chrini, Manager of Wentworth Condominium Corporation #24 and area residents, that the recently implemented full-time "Two Hour Parking Time Limit" regulation on the east and south sides of Jerome, be shortened to allow unrestricted parking on the south side of Jerome adjacent to the townhouse properties. The original petition requesting the implementation of the regulation was signed by residents abutting the east side of Jerome only. Therefore, staff does not have any objections to allowing unrestricted parking on the south side of Jerome.
- (b) Alderman Fred Eisenberger has advised of a request from Mrs. Millar, 208 Charlotte Street, that the existing eastbound and westbound yield signs on Dundonald at Charlotte be changed to stop signs.
- (c) Aldermen Fred Eisenberger and Chad Collins have advised of a request for the implementation of a "No Parking" regulation on the east and south sides of the 90 degree bend of Violet. Residents at a public meeting at the Riverdale Recreation Centre expressed concern that vehicles parked in this area obstruct the two-way traffic flow on the 90 degree bend.

Ward 6

- (a) Staff has received a request from Michael McDougall, 30 Kenwood Crescent, for eastbound stop control at the "T" type intersection of Kenwood and Kingslea.

Ward 7

- (a) Alderman Bill Kelly has advised of a request from an area resident for all-way stop control at the intersection of Enola and Presidio. The intersection meets the criteria for all-way stop control due to its proximity to Eleanor Park.

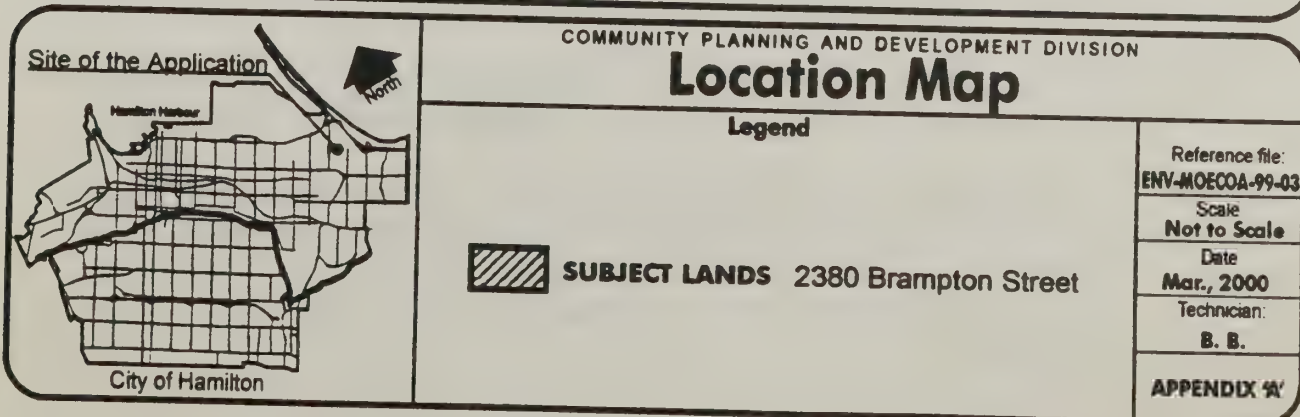
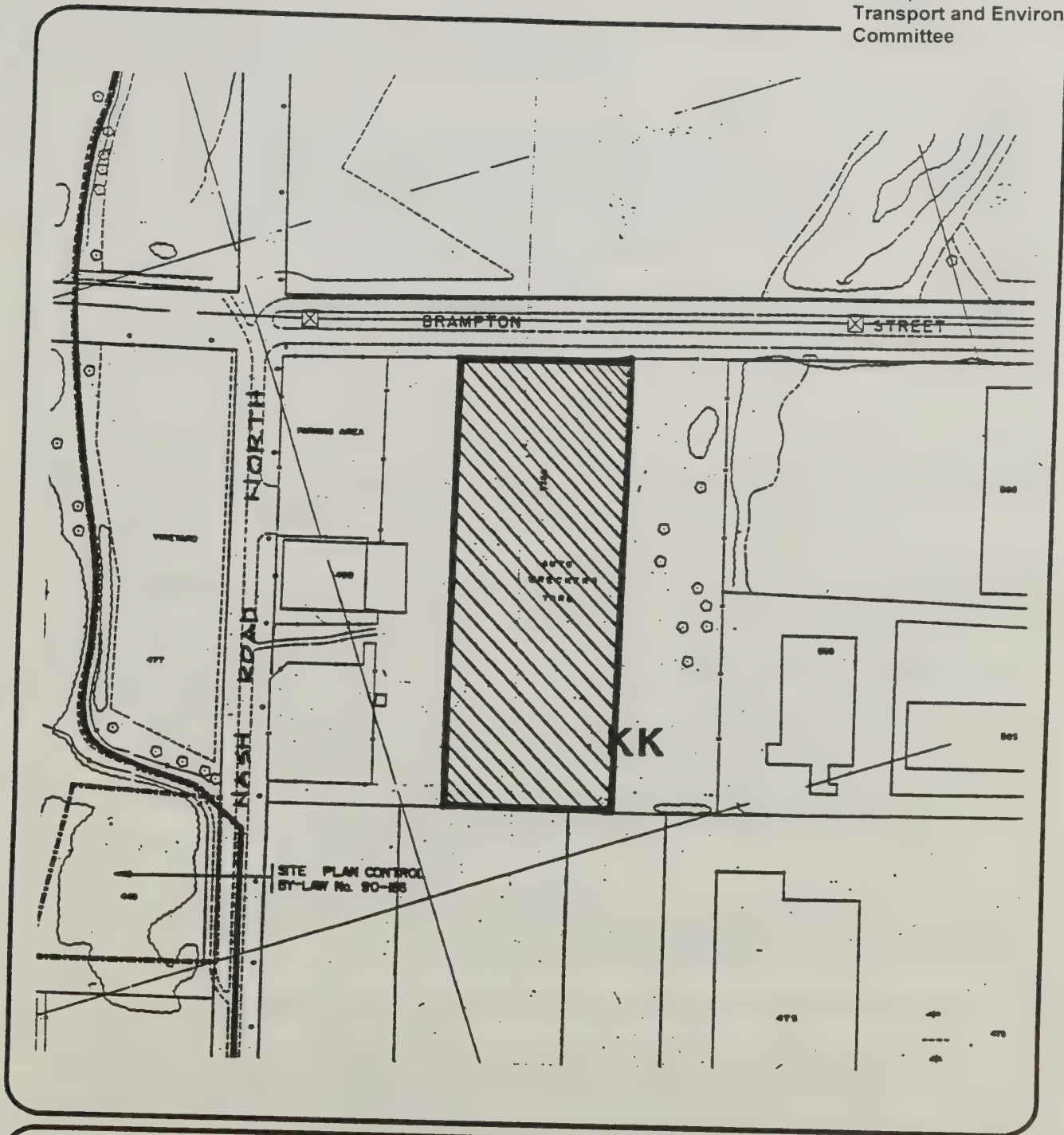
- (b) Bernice Speck, 54 East 24th Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of East 24th directly in front of her home since she is disabled.
- (c) Sergio Geiss, 83 Parkplaza Drive, has requested that the existing full-time "Wheelchair Loading Zone" regulation on the north side of Parkplaza in front of his home be removed as his son has moved.

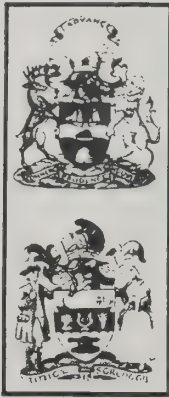
Ward 8

- (a) Brenda Mohoruk, Principal of Halbrook School, 450 Sanatorium Road, has requested all-way stop control at the intersection of Sanatorium and West 33rd. This intersection is in close proximity to the school and therefore, staff concurs with the request.
- (b) Shelly Cameron, 27 Adele Court, has requested that westbound stop control be implemented at the "T" type intersection of Adele and Claudette.
- (c) Elizabeth Rolo, 262 West 15th Street, has requested that the existing "No Parking" corner clearance on the west side of West 15th, north of Mohawk, be shortened to allow one unrestricted parking space in front of her home.

Hamilton City Council

APPENDIX "B"
as referred to in Section 7
of Report 06-00 of the
Transport and Environment
Committee





REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

Monday, April 3, 2000

4:00 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman B. Morelli (Chairperson)
Alderman M. Kiss (Vice-Chairperson)
Mayor R. M. Morrow
Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson,
T. Anderson, D. O'Sullivan

Also Present: Aldermen M. Caplan, B. Charters, D. Haining, A. Horwath,
D. Wilson, R. Fair, K. Duncliffe, B. Chrystian, G. Makins,
B. Moffatt, M. Havelka, C. Secore, S. Merlo-Orzel, H. Kayal,
W. Plessl, T. Dine, P. Barkwell, M. Hill, B. Price, C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 06-00 AND RESPECTFULLY RECOMMENDS:

1. Gender Equity Policy - Access and Allocation of Ice Time (Item 3.3)

- (a) That ice time allocations be frozen at the 1999-2000 level for all Minor Sports Groups and that this cap remain in effect until additional ice time is made available within the City of Hamilton; and,
- (b) That the Director of Culture and Recreation be authorized to form a Committee of major ice users to review ice time allocation policies; and,
- (c) That the Director of Culture and Recreation, following consultation with appropriate parties, report back to the Committee on increasing the amount of ice time at Inch Park Arena for the Hamilton Minor Girls Hockey Association to a ratio equal to the Lawfield Minor Hockey Association.

2. **Demolition of 17 1/2 Fairmont Avenue - Fernleigh Lawnbowling Clubhouse (CSC00041)** (Item 4)
 - (a) That City Council authorize the demolition of the property known municipally as 17 ½ Fairmont Avenue, and formerly being the Fernleigh Lawnbowling Club, at an estimated cost of \$18,750. plus GST by Abbey Demolition, being the lowest of three bids, and to be charged to Account No. COHAM 54801-731210; and,
 - (b) That the Real Estate Division of the Corporate Services Division be authorized and directed to offer for sale the surplus lands to the abutting owners at market value and deposit said revenue to Account No. COHAM 54801-731210.
3. **Request to Sell Beer in Stands - Hamilton Tiger-Cats - Ivor Wynne Stadium (CSC00045)** (Item 5)
 - (a) That approval be granted to the Hamilton Tiger-Cats Football Club to sell beer only in the stands as an upgraded service for its premium seat holders on a one year trial basis, for the 2000 Canadian Football League season based on the following terms and conditions:
 - (i) that this request adhere to the terms and conditions of the Alcohol and Gaming Commission of Ontario, and that any changes required to the current liquor licence be applied for and approved prior to this initiative taking place at the sole cost of the Hamilton Tiger-Cats; and,
 - (ii) that all servers of beer in the stands be at least 19 years of age and have Smart Serve training; and,
 - (iii) that the current practice of a two (2) beer maximum per patron be applied for this service; and,
 - (iv) that the serving of beer be halted at the beginning of the fourth quarter; and,
 - (b) That Corporate Counsel be authorized and directed to amend the Licence Agreement as may be required to allow this activity; and,
 - (c) That the Director of Culture and Recreation be directed to report back to the Parks and Recreation Committee on the results of this trial period at the end of the CFL season.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Copps, Wilson, Charters, Jackson, Anderson. -5. **CARRIED.**

4. Bennetto Recreation Centre - Renovation and Expansion Project - Construction Contract Award (CSC00051) (Item 6)

- (a) That the General Manager of Community Services be authorized to issue a Purchase Order to Lancing Construction Ltd. of Hamilton in the amount of \$2,003,045. plus applicable taxes to construct the addition and renovate the Bennetto Recreation Centre at 450 Hughson Street North as detailed in the Contract Documents issued on February 29, 2000, to be financed from the designated Capital Account No. COHAM 709955040; and,
- (b) That the additional work related to this project and the contingency amounts totalling \$275,500. be funded from the following accounts: COHAM 709754029 (Outdoor and Landscape Upgrades C&R Facilities); COHAM 329441016 (Barrier Free Recreation Centres); and, current account COHAM 715100 54915 (Bennetto Recreation Centre – General maintenance and repairs); and,
- (c) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor; and,
- (d) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City; and,
- (e) That the Acting Director of Public Works and Traffic be authorized to remove nine trees located in the area of expansion, and to undertake the planting of nine replacement trees in accordance with City By-law No. 92-155 "Respecting Trees".

5. Hamilton Civic Golf Courses Request for Proposal - Golf Course Tee Signage (CSC00046) (Item 7.1)

- (a) That the Director of Culture and Recreation be authorized to enter into contract with Upscale Golf, John Rayner, the successful proponent in response to a Request for Proposal call by the City of Hamilton for the supply of golf course tee signage for the Chedoke and King's Forest Golf Courses, for a term commencing April 1, 2000 and completing April 1, 2005, at which time, all signs, material and advertising revert to the City as owner; and,

- (b) That, in accordance with the City of Hamilton Act, 1999 and associated regulations and guidelines, that this recommendation be forwarded to the Transition Board for approval as the proposed contract extends beyond December 31, 2000; and,
- (c) That Corporate Counsel be authorized and directed to draft and have executed the necessary contract.

6. Authorization to Advertise Externally for Candidate to fill the Position of Historical Interpreter - Hamilton Military Museum (CSC00039) (Item 7.2)

That the General Manager, Community Services Division, be authorized to advertise externally in order to ensure the best possible list of qualified candidates to fill the temporary replacement position of Historical Interpreter for the Hamilton Military Museum.

7. Invitation from the Province of Ontario to Host Future Ontario Games (CSC00048) (Item 7.3)

That His Worship, Mayor Robert M. Morrow, be requested to write to the Minister of Citizenship, Culture and Recreation, the Honourable Helen Johns, to indicate that the City of Hamilton will not be submitting bids to host any of the 2002 and 2004 Ontario Winter and Ontario Summer Games.

8. Royal Bank Aquafest - Approval to Sell Alcoholic Beverages, Park Vehicles and hold Carnival Rides in Bayfront Park (CSC00043) (Item 7.4)

- (a) That approval, as required by Sections 11 and 29 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Region of Hamilton-Wentworth to sell alcoholic beverages, park vehicles, boat race and hold carnival rides at the Royal Bank Aquafest event in Bayfront Park, from July 13-16, 2000 inclusive; and,
- (b) That the licenced areas at the Royal Bank Aquafest event operate during the following hours:

Thursday	July 13	4:00 p.m. -11:00 p.m.
Friday	July 14	12:00 noon -11:00 p.m.
Saturday	July 15	12:00 noon - 11:00 p.m.
Sunday	July 16	12:00 noon - 11:00 p.m.; and,

- (c) That an entrance fee of \$10. per day, purchased on site only or a full weekend pre-purchased pass of \$5. (for unlimited entrance) be permitted to be charged of participants to enter the enclosed festival grounds of Bayfront Park over the duration of the Royal Bank Aquafest event; and,
- (d) That a parking fee of \$5. be permitted to be charged to park vehicles in Bayfront Park during the Royal Bank Aquafest event.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

9. Fireworks Displays in Parks - Approval as required by Parks By-law 95-126 and Fireworks By-law 90-198 (CSC00042) (Item 7.5)

That approval, as required by Sections 17 (01) and Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to hold a Fireworks Display on City Properties on the dates and locations specified below:

- (a) Kirkendall Recreation Association, Highland Gardens Park
May 22, 2000 (raindate May 23, 2000)
- (b) City of Hamilton, General Manager, Community Services Division
July 1, 2000, Bayfront Park, Hamilton Harbour

10. Taste of Hamilton - Sale of Alcoholic Beverages in Bayfront Park - Amendment (CSC00047) (Item 7.6)

That Section 4 of Report 05-00 of the Parks and Recreation Committee respecting the sale of alcoholic beverages, the parking of vehicles and the operation of amusement rides at Bayfront Park for the Taste of Hamilton event from June 22-25, 2000, as adopted by City Council on March 14, 2000, be amended as follows:

- (a) Subsection (a) to delete the words "Yellowhead Kemp Association" and insert in lieu thereof the words "The Endometriosis Association of Ontario"; and,

- (b) Subsection (b) by changing the hours of operation for the licensed tent area on Saturday, June 24, 2000 from 12:00 noon - 10:00 p.m. to 12:00 noon - 11:00 p.m. and by adding the hours of 12:00 noon - 10:00 p.m. on Sunday, June 25, 2000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

11. St. Demetrios Greek Orthodox Community - OPA Festival with Amusement Rides in Victoria Park - July 28-31, 2000 (CSC00049) (Item 7.7)

That approval, as required by Parks By-law No. 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines be given to St. Demetrios Greek Orthodox Community to hold carnival rides at the annual OPA Festival in Victoria Park from July 28-31, 2000.

12. Heritage Challenge Fund Grant Application - Dundurn National Historic Site (CSC00035) (Item 7.8)

That authorization be given to the General Manager of Community Services to submit a grant application requesting an amount of up to \$200,000. from the Provincial Heritage Challenge Fund for the restoration of the nationally designated picturesque landscape at Dundurn.

13. Crystal Palace Grounds - Commemorative Plaque (CSC00036) (Item 7.9)

- (a) That approval be given for the Crystal Palace Grounds to be the subject of a 2000 Commemorative Plaque; and,
- (b) That the Plaque be erected in a suitable location in Victoria Park at a future date.

14. Scott Park Minor Hockey Association - Status of Affiliation (CSC00054) (Item 9)

- (a) That Council confirm the suspension of the Scott Park Minor Hockey Association for being in non-compliance with the City of Hamilton Affiliation Policy; and,

- (b) That the Director of Culture and Recreation be instructed to hold a public meeting in the Scott Park Community, in conjunction with the Hamilton Minor Hockey Council, to consider alternatives to ensure the continuation of a minor hockey program in this community; and,
- (c) That the Executive of the Scott Park Minor Hockey Association be requested to forward its 1999 mailing list to assist the City in contacting interested parties for this meeting; and,
- (d) That the Director of Culture and Recreation be directed to report back in sixty days with an implementation plan to ensure the continuation of minor hockey in the Scott Park community.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Adoption of Minutes - March 6, 2000 (Item 2)**

That the Minutes of the Parks and Recreation Committee for its meeting held March 6, 2000 be adopted as circulated.

(c) **Presentations/Delegations (Item 3)**

(i) **Proposals for Chedoke Golf Course - Jake Blake, President, Chedoke Golf Course - Men's Section (Item 3.4)**

On motion, the Committee agreed to change the order of the Agenda so that this delegation could be heard first.

Jake Blake, President, Chedoke Golf Course - Men's Section, appeared before the Committee and reviewed issues of concern respecting the 7-day advance tee time reservations, the 50/50 ratio allocation of green fees, the out of town surcharge, increased fees and the need for

meetings of the Golf Advisory Committee, as outlined in his March 29, 2000 letter to the Committee.

The Committee approved the following:

That the report of Jake Blake, President, Chedoke Golf Course - Men's Section, be received and that Culture and Recreation Department Staff be requested to prepare a full report for the next meeting, addressing the concerns raised in Mr. Blake's letter of March 29, 2000.

(ii) Zone 6B Millennium Project - Art in the Environment - Site Selection - Ivan Jurakic, Project Co-Ordinator (Item 3.1)

Ivan Jurakic, Project Co-Ordinator, appeared before the Committee to provide an overview of the Zone 6B Millennium Project.

The following motion was introduced and subsequently referred to Culture and Recreation Department Staff for a full report back to the Committee, inclusive of all financial implications and in-kind financial assistance for this project:

- (a) That City Council authorize the installation of up to ten temporary public art installations on City property for the Zone 6B: Art in the Environment Project, providing that the selected sites have been reviewed with appropriate Staff; and,
- (b) That the General Manager, Community Services, Acting Director of Public Works and Traffic and the General Manager, Transportation, Operations and Environment, approve the final site selections; and,
- (c) That the costs for installation and maintenance and dismantling be the responsibility of the Zone 6B Project; and,
- (d) That once final plans and site locations have been determined, an Information Report be forwarded to the Parks and Recreation Committee.

(iii) Project by the Art Gallery of Hamilton - Temporary Installation of Plaques on City-owned lands - Shirley Madill, Senior Curator, Art Gallery of Hamilton (Item 3.2)

Shirley Madill, Senior Curator, Art Gallery of Hamilton, appeared before the Committee to provide an overview of the Art Gallery of Hamilton's Hidden Histories and Invisible Stories Project.

The following motion was introduced:

- (a) That City Council authorize the installation by the Art Gallery of Hamilton of up to six steel markers on City-owned property for the "Hidden Historic and Invisible Stories" Project providing that the selected sites be reviewed with appropriate Staff; and,
- (b) That the General Manager, Community Services, Acting Director of Public Works and Traffic, the General Manager, Transportation, Operations and Environment and the Ward Aldermen approve the final site selections; and,
- (c) That costs for installation and maintenance and dismantling be the responsibility of the Art Gallery of Hamilton; and,
- (d) That once final plans and site locations have been determined, an Information Report be forwarded to the Parks and Recreation Committee.

A subsequent motion was made as follows:

That the above-noted recommendation be referred to Culture and Recreation Department Staff for a full report back to the Committee.

Referral motion lost on a tie vote.

The Committee then voted on the main motion as indicated above.

Main motion lost on a tie vote.

The Committee subsequently approved the following:

That Culture and Recreation Department Staff be directed to prepare a revised report on this matter to be introduced as part of the Parks and Recreation Committee's Report at the April 11, 2000 meeting of City Council.

- (iv) **Gender Equity Policy - Access and Allocation of Ice Time (Item 3.3)**

Ken Duncliffe, Director of Culture and Recreation, made a presentation on the issue of Gender Equity Ice Allocation as it relates to equitable access for girls to play hockey in Hamilton, equity relative to ice allocation for the Hamilton Minor Girls Hockey Association (HMGHA) and in response to complaints from the HMGHA relative to the quality of allocated ice.

Participation number for girls playing hockey in Hamilton through the Minor Program and the Girls Program were presented, as well as the player development ratios based on the Canadian Hockey Association's recommended standards for the number of hours per week that players should participate to maximize the best results for player development. It was noted that the Hamilton Minor Girls Hockey Association has a much lower percentage of its ice allocation at its home arena.

The Committee was advised that the Hamilton Minor Hockey Council reviews the ice allocation, but that the Hamilton Minor Girls Hockey Association falls outside the Hockey Council.

Sue Gibson, Hamilton Minor Girls Hockey Association was in attendance and expressed her concerns that there is no consistency on the ice surfaces allocated to their Association and didn't feel that 10:00 p.m. practice times were acceptable.

Peter Martin, President of the Hamilton Minor Hockey Council, was also in attendance and commented on the need for more ice time in the City of Hamilton and advised the Committee that the lack of ice time has resulted in a moratorium on tournaments and the fact that Hamilton couldn't host provincial or national championships because core programs have been deemed a priority for available ice time.

The Committee was advised by the General Manager, Community Services Division, that an Environmental Assessment is being undertaken in the area of the new four pad arena, but was hopeful that the new site would be operational by September, 2001, to meet the short term needs for more ice time in the City.

Alderman Kiss was recorded as opposed to subsection (a) of the recommendation.

Aldermen Copps and Kiss were recorded as opposed to subsection (c) of the recommendation.

(d) **Request to Sell Beer in Stands - Hamilton Tiger-Cats - Ivor Wynne Stadium (CSC00045) (Item 5)**

A copy of a letter dated April 2, 2000 from Peter Vincent, Proprietor, Carrera's Sportsdome and Café, was received in support of the selling of beer at Ivor Wynne Stadium.

Aldermen Copps, Jackson and Anderson were recorded as opposed.

- (e) **Bennetto Recreation Centre - Renovation and Expansion Project - Construction Contract Award (CSC00051)** (Item 6)

Some of the Account Numbers as contained in the report were amended.

- (f) **Royal Bank Aquafest - Approval to Sell Alcoholic Beverages, Park Vehicles and hold Carnival Rides in Bayfront Park (CSC00043)** (Item 7.4)

Alderman Jackson was recorded as opposed.

- (g) **Taste of Hamilton - Sale to Alcoholic Beverages in Bayfront Park - Amendment (CSC00047)** (Item 7.6)

Alderman Jackson was recorded as opposed.

- (h) **Information Items** (Item 7.10)

That the following items previously distributed to Members of Committee under separate cover, be received:

- (a) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meeting held February 21, 2000; and,
- (b) New Mum Show Sub-Committee - Minutes of Meeting held February 17, 2000

Note: Following Item 7 on the agenda, the Committee took a 15-minute recess, and reconvened immediately thereafter.

- (i) **Scott Park Minor Hockey Association - Status of Affiliation (CSC00054)** (Item 9)

Mike Rubert, Executive Director, Scott Park Minor Hockey Association, appeared before the Committee and read a letter dated March 31, 2000 from Fred Gowling, President, Scott Park Minor Hockey Association indicating that the Association has applied to and been accepted by the Ontario Minor Hockey Association (O.M.H.A.) and would therefore qualify for Canadian Hockey Association (C.H.A.) insurance.

Peter Martin, President, Hamilton Minor Hockey Council, was also in attendance and spoke on the role of the Hamilton Minor Hockey Council and encouraged the Committee to support the current structure for Minor Hockey in Hamilton and not allow the structure to become fragmented.

The following items were also distributed to Members of the Committee:

- (a) Letter dated March 31, 2000 from Fred Gowling, President, Scott Park Minor Hockey Association, respecting insurance requirements; and,
- (b) An Information Report (CSC00054) from the General Manager, Community Services Division, dated March 31, 2000 respecting the status of affiliation by the Scott Park Minor Hockey Association; and,
- (c) A flowchart showing the structure of Minor Hockey in Canada; and,
- (d) A letter from the Lawfield Minor Hockey Association Incorporated Executive Committee supporting solidarity within the Hamilton hockey community.

When asked why the Scott Park Minor Hockey Association has failed to comply with the required insurance provisions under the City's Affiliation Policy, Mr. Gowling indicated that he has never been told the specific type of insurance required and that the Association's existing insurance offers greater coverage. Mr. Gowling also indicated that the Association has provided the required insurance as requested.

Mr. Gowling was asked to provide a copy of the Association's 1999 mailing list to the City and he indicated that he would discuss this matter with his Board.

Graham Brown, Executive Director, Ontario Minor Hockey Association (OMHA), was also in attendance and advised the Committee that the OMHA has moved that the Scott Park Minor Hockey Association become a member of their Association and suggested that the matter be tabled so that the President of the OHF could answer any questions the Committee may have respecting insurance coverage.

In citing the March 30, 2000 letter from Allan Morris, President, Ontario Hockey Federation (Schedule 2 in Report CSC00054), the General Manager, Community Services Division, indicated that the Scott Park Minor Hockey Association is not in compliance with the insurance requirements.

Recorded Vote:

Yeas: Aldermen Corsini, Morelli, Eisenberger, Jackson,
Anderson, O'Sullivan - 6

Nays: Aldermen Kiss, Copps - 2

Carried.

Note: The meeting of the Parks and Recreation Committee adjourned at 8:02 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
April 3, 2000**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, April 5, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman Kiss, Alderman Morelli, Alderman Collins, Alderman Wilson, P. Mallard, B. Janssen, R. Linschoten, R. Meiers, N. Smith, E. Switinky, J. Spolnik, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. ZAR-00-03 Request for a Further Modification in Zoning – No. 180 Walnut Street South, Hamilton – (PDC00059)

That approval be given to Zoning Application ZAR-00-03, Ivo Civitarese, owner, requesting a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit a single family dwelling only within the existing building, for property located at 180 Walnut Street South, as shown on the attached map marked as APPENIDX "A", on the following basis:

- (a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 76-312, be further modified to the extent only of the special requirement that:
 - (i) That Section 2(a) of By-law 76-312 be deleted and replaced by the following:

"Notwithstanding Section 11A (1) of By-law No. 6593 the existing building located on the lands shown on Schedule "A" may only be converted for one (1) dwelling unit."

- (b) That the amending by-law be added to Section 19 of Zoning By-law No. 6593, as Section S-490b, and the subject lands on Zoning District Map E-5 be notated S-490b;
- (c) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (d) That the proposed further modification in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area; and
- (e) That the implementing by-law not be presented to City Council until the owner has entered into an Encroachment Agreement with the City of Hamilton for the existing building encroachments into the Forest Avenue and Walnut Street South road allowances.

2. ZAR-00-04 Request for a Change in Zoning – 89-91 Vine Street – (PDC00063)

That approval be given to Zoning Application ZAR-00-04, by Philpott Memorial Church, owner, for a change in zoning from "L-c" (Planned Development – Commercial) District to "H" (Community Shopping and Commercial etc.) District, modified, to permit the expansion of an existing parking lot and provide for landscaping for lands located at 89 - 91 Vine Street, as shown on the attached map marked as APPENDIX "B" on the following basis:

- (a) That the subject lands be rezoned from "L-c" (Planned Development – Commercial) District to "H" (Community Shopping and Commercial, etc.) District;
- (b) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14C of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14. (1) (viii) of Zoning By-law No. 6593 as amended by By-law No. 99-174, a public parking lot shall be permitted;
 - (ii) That a landscaped planting strip have a minimum width of 3.0 m shall be provided and maintained along the entire street line except for the area used for access driveway;

- (iii) Section 18A(11) and (12) shall not apply along easterly lot line;
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1312a, and that the subject lands on zoning district Map W-4 be notated as S-1312a;
- (d) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. ZAC-00-02 Request for a Change in Zoning – North Side of the Future Extension of Greywood Road, South of Glenview Place – (PDC00065)

- (a) That approval be given to Zoning Application ZAC-00-02, Casablanca Properties Inc., owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District, for lands located on the north side of the future extension of Greywood Road, south of Glenview Place, as shown on the attached map marked as APPENDIX "C", on the following basis:
 - (i) That the lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District;
 - (ii) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law, in a form satisfactory to the Corporate Counsel, to amend Zoning By-law No. 6593, and Zoning District Map W-17C for presentation to Council; and,
 - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That there be no increase in the number of lots on the south side of the future extension of Greywood Road than the number shown on the draft approved plan of subdivision (SAC-95-02).

4. Demolition of 163 Stone Church Road East (PDC00062)

That the Building Commissioner be authorized to issue a demolition permit for 163 Stone Church Road East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Amendment to the Approved Vincent Neighbourhood Plan – Proposed Deletion of the Walkway Located Between 166 & 170 St. Andrews Drive – (PDC00064)

- (a) That the Approved Vincent Neighbourhood Plan be amended by deleting the walkway located between 166 and 170 St. Andrews Drive; and,
- (b) That the closure and disposal of the walkway located between 166 and 170 St. Andrews Drive in the Vincent Neighbourhood Plan, as shown on the attached APPENDIX “D”, be referred to the Transport and Environment Committee for implementation.

6. Cash in Lieu of Parking (210–214 Locke St. S., Hamilton) – (PDC00058)

- (a) That the application by Joe Stanicak for the building at 210-214 Locke Street South, as shown on the attached map marked as APPENDIX “E”, for the payment of Cash-in-lieu for 8 parking spaces in the amount of \$20,400 be approved; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D’Amico, O’Sullivan. –15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

- (b) The Traffic Division Staff be directed to meet with the ward aldermen, neighbourhood business and residents to propose solutions to alleviate the parking situation and report back to the Planning and Development Committee; and,
- (c) That the Cash-in-lieu money as referred to in sub-section (a) above be directly applied to alleviate the Locke Street parking problems.

7. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-013 A By-law to Adopt Official Plan Amendment No. 165 Respecting Lands Located at 844 Upper Wentworth Street in the Bruleville Neighbourhood.

- (b) C-014 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 844 Upper Wentworth Street.
- (c) C-015 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 844 Upper Wentworth Street.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest** (Item 1)

None declared.

- (b) **Adoption of Minutes – March 22, 2000** (Item 3)

The Minutes of the meeting held March 22, 2000 were adopted.

- (c) **ZAR-00-04 Request for a Change in Zoning – 89-91 Vine Street – (PDC00063)** (Item 2.1)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Ed Fothergill was present in support of the recommendation.

No one was present to speak in opposition to the recommendation.

- (d) **ZAR-00-04 Request for a Change in Zoning – 89-91 Vine Street – (PDC00063)** (Item 2.2)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard advised that the north-east corner was not previously rezoned with the rest of the property for parking and that this is now a housekeeping measure.

Of 88 notices circulated 1 replied in favour and 1 opposed.

The proponent was present in support of the application.

No one was present in opposition.

- (e) ZAC-00-02 Request for a Change in Zoning – North Side of the Future Extension of Greywood Road, South of Glenview Place – (PDC00065) (Item 2.3)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard advised that staff is recommending denial because the proposal is contrary to the terms of the initial settlement, does not have an appropriate transition in development, and does not provide a variety of lot sizes. Of 135 notices sent, 2 replied in favour and 6 opposed.

Angelo Cameracci, Cathy DiSilvestro, purchaser, and Arthur Weisz, developer, were present in support of the proposal.

Mr. Cameracci advised that only phase 3 is to be resolved the layout of other areas has already been determined.

Ms. DiSilvestro distributed photos of the area and a market analysis explaining that "C" zone homes will not sell next to homes of less value. It is not a good investment and people will not purchase them.

No one from the public was present to speak on the matter.

Alderman D'Amico asked if the proponents were willing to decrease phase three by 2 lots thereby increasing the frontages from 10 to 11 metres. The proponents were agreeable.

Alderman Copps supports the staff recommendation.

Following discussion the Committee passed a resolution to approve the Zoning application as amended to decrease Phase three by 2 lots thereby increasing the frontages from 10 to 11 metres.

* Alderman Copps was opposed.

- (f) **Demolition of 15 Division Street (PDC00060)**(Item 4.1)
-and-
Demolition of 74 Harrison Street (PDC00061)(Item 4.2)

The Committee tabled the reports in order to allow the ward aldermen to meet with the residents and the owners of the property.

- (g) **Amendment to the Approved Vincent Neighbourhood Plan – Proposed Deletion of the Walkway Located Between 166 & 170 St. Andrews Drive – (PDC00064) (Item 5.1)**

The Chairperson advised that notice was sent out to the public regarding this meeting and as such it is a public meeting open to presentations.

Kevin Rudd, owner of 166 St. Andrews Drive was present and advised that he initiated the closure and gave a brief history of the walkway indicating that it has been used as a dumping ground. He further advised that the City removed a retaining wall 2 ½ years ago and as a result his neighbour's property has had damage due to soil erosion.

Mr. Meiers suggested that the owners of the property initiate a claim for damages.

In addition to approving the recommendation of the General Manager, Community Planning and Development Division, the Committee also resolved as follows:

That Public Works Division Staff prepare a report for the Transportation and Environment Committee which gives cost estimates and recommendations for repairs to property at 170 St. Andrews Drive as a result of the City's removal of a retaining wall abutting the walkway located between 166 and 170 St. Andrews Drive.

- (h) **Cash in Lieu of Parking (210–214 Locke St. S., Hamilton) – (PDC00058) (Item 6)**

Mr. Diggins was present to speak in opposition to the Cash-in-lieu request.

He stated that the area is congested and many successful businesses are located along the street, which generates traffic, and there is no provision for patrons to park other than on street parking and residential side streets. He feels that Cash-in-lieu will not alleviate the problem. He asked the Committee to deny the request because expansion without parking is unreasonable.

Margaret Webster of 30 Chatham Street was present in opposition to the Cash-in-lieu. She added that the corner of Chatham and Locke Street is hazardous.

Terry Stortz of 5 Chatham Street was present in opposition to the Cash-in-lieu. He agreed that the West Town is an asset to the community but that he is in agreement with the staff recommendation. He stated that if approved that Committee should do so under the following conditions:

- * development of a parking plan
- * formalization of the parking spaces leased by Computer post
- * assurances that cars not driving the wrong way on Chatham street

Joe Stanicak, Owner of the West Town Bar and Grill was present in support of the Cash-in-lieu proposal. He stated that the only reason he is expanding his business is to comply with the new smoking by-law. He added that several restaurants established after his business, which are located on Locke Street, were not required to provide parking. He added that many of his patrons are local and walk. He also provides 12 parking spaces that he leases in addition to 3 on site. He compared his situation with Hess village and added that should he be unable to expand he must exercise the house rule that does not allow children.

Alderman Caplan stated that the West Town was the catalyst for redevelopment on Locke Street. He stated that a possible solution would be to introduce parking meters on Locke Street.

Alderman Kiss supports the staff recommendation. She referred to the OMB decision that states that the impact of parking is major. She noted that the area was originally residential and that the spillover from commercial parking is a great problem.

Alderman Eisenberger suggested that a potential solution can be the use of the library property. He felt that 2 hour limit parking meters would help the parking problem.

Although the restaurant is a positive for the area, the parking issues still need to be resolved.

Alderman Copps felt that residents should not be required to use the alleyways for parking. Cash-in-lieu does not solve the parking problem.

Alderman Collins stated that the story of Locke Street is a success story that occurred without public funding. Parking must be addressed.

Alderman Haining stated that if the business was a retail establishment it would not be required to provide parking if under 5,00 Square feet. It is unfortunate that the expansion is resulting from a City Smoking By-law.

Alderman Corsini does not support the staff recommendation.

Alderman Charters stated that the downtown needs people in order to be successful and that Locke Street is successful. It's where people want to be. Cash-in-lieu should be approved but the parking issue must be addressed.

The recommendation of the General Manager, Community Planning and Development Division dated March 17, 2000 was not voted upon.

Instead, a motion was placed on the floor and a vote called upon for each of the three sections.

* Alderman Copps was opposed to sub-section (a)

(i) **Other Business (Item 7)**

(i) Request for repeal of Site Plan By-law 98-206 woodland Meadows, West 5th and Stone Church Road West (Added)

Leave was granted to hear an added item.

Serge Manchia of Planning Initiatives was present to request repeal of Site Plan By-law 98-206 woodland Meadows, West 5th and Stone Church Road West.

He stated that the original zoning proposal was changed and as such the site plan based on the original proposal should be rescinded.

Paul Mallard advised that the abutting neighbours, Mr. Settino and Mr. Piano were against the development based on the orientation of the lots. As a result Mr. Manchia agreed to resolve their concerns by having the buildings designed to be oriented towards Picino Street.

The Committee directed staff to meet with the residents and the proponent in order to resolve the concerns and report back to a special meeting of the Planning and Development Committee on Tuesday April 11 before City Council.

- (ii) Cancellation of April 19, 2000 Planning and Development Committee Meeting

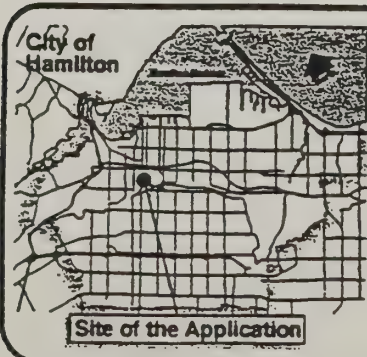
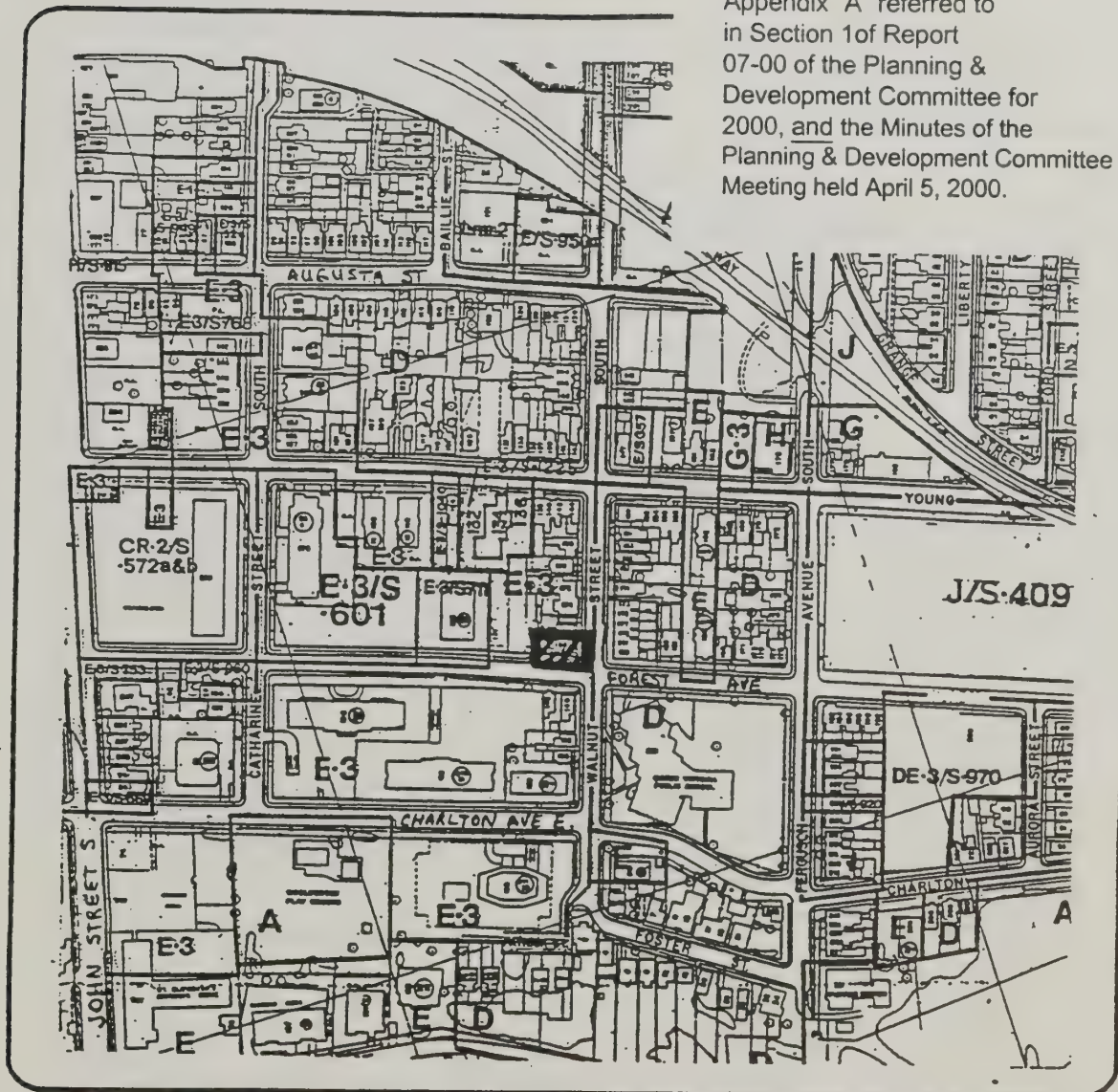
As a result of Aldermen being away for the American Planning Association Conference in April we will not have quorum and those items previously scheduled for that meeting will be rescheduled to the meeting of May 3, 2000.

Note: The meeting of the Planning and Development Committee adjourned at 11:35 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
April 5, 2000**

Appendix "A" referred to in Section 1 of Report 07-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held April 5, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District

Reference file:
ZAR-00-03

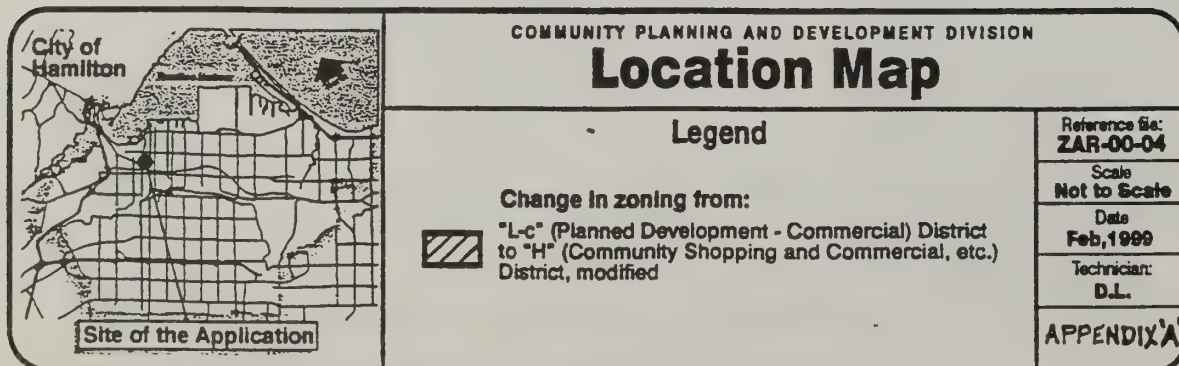
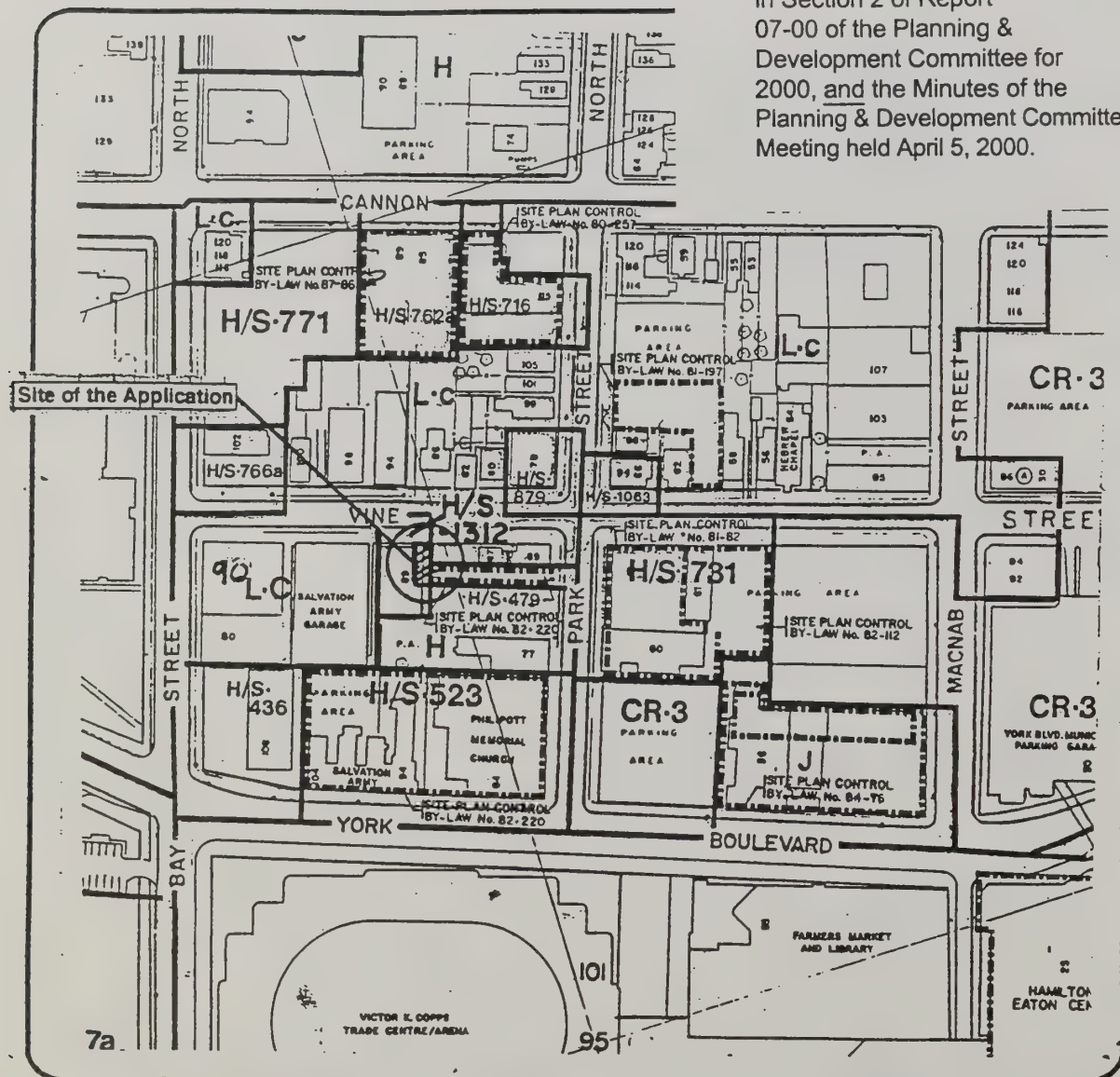
Scale
Not to Scale

Date
Feb, 1999

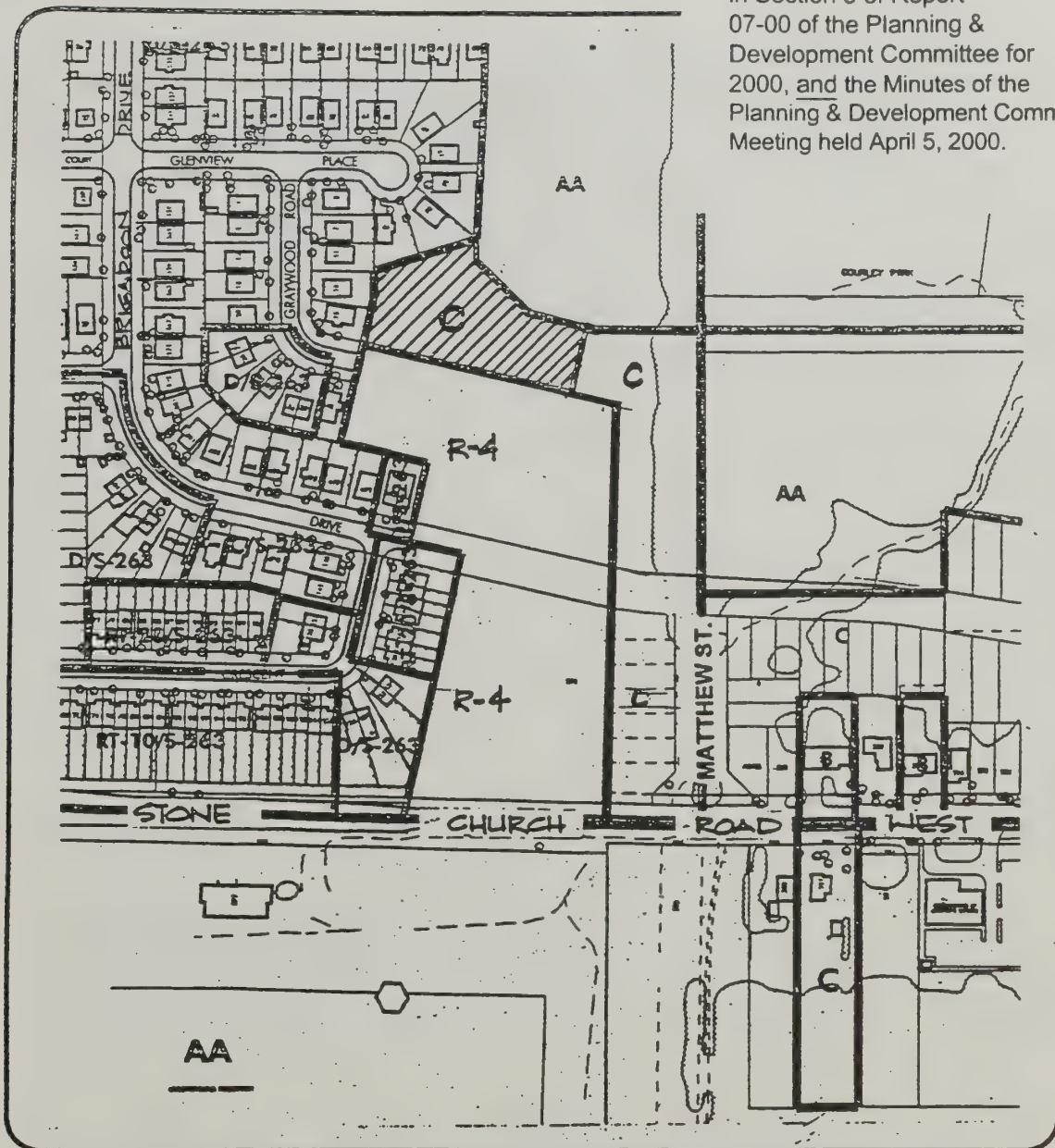
Technician:
D.J.

APPENDIX 'A'

Appendix "B" referred to in Section 2 of Report 07-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held April 5, 2000.

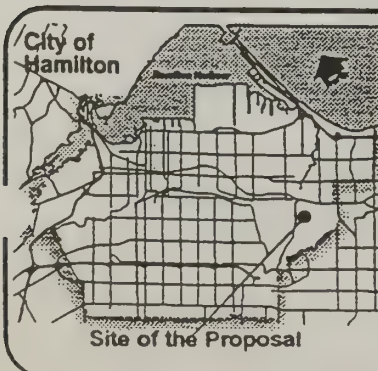
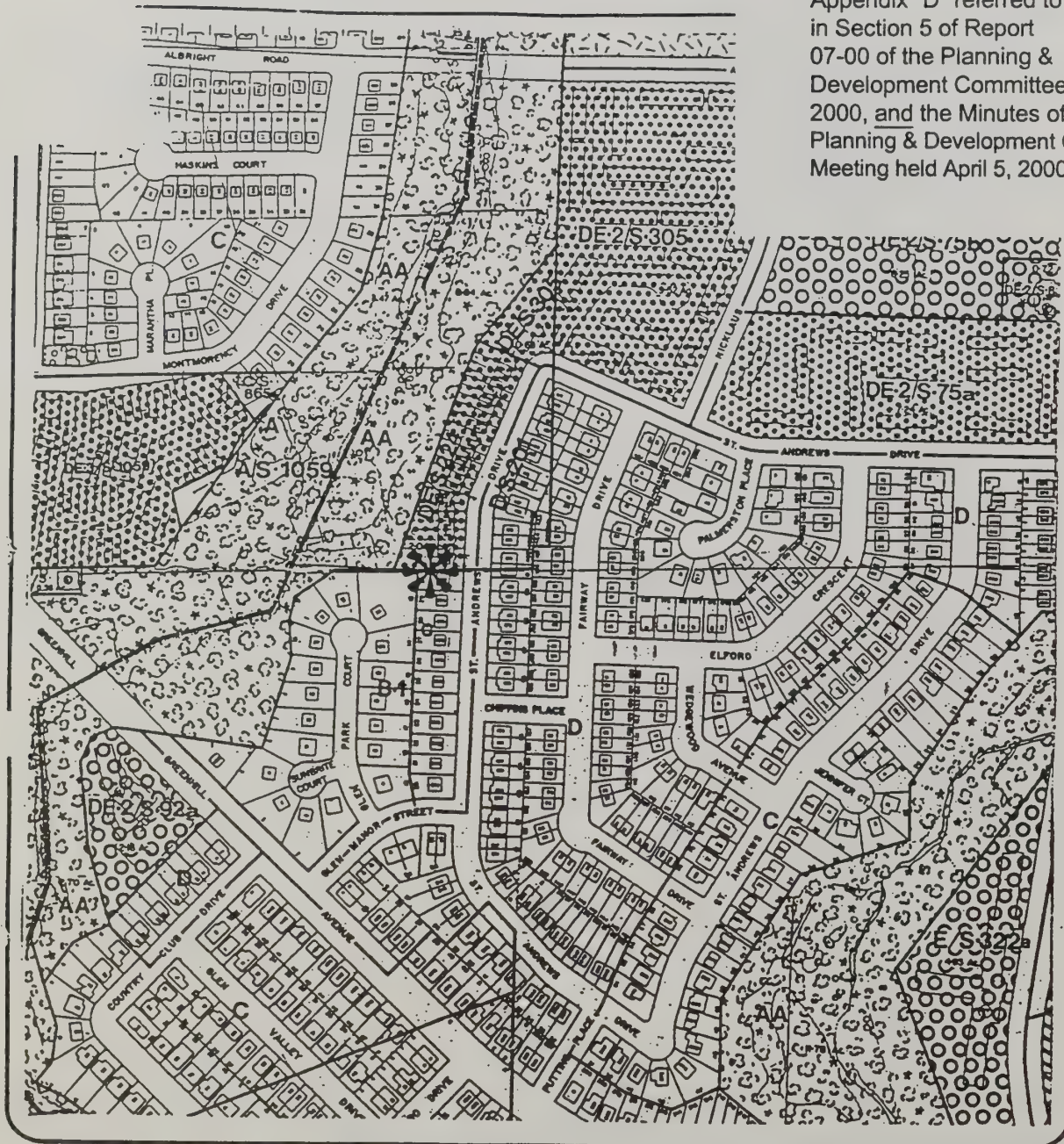


Appendix "C" referred to in Section 3 of Report 07-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held April 5, 2000.



Site of the Application City of Hamilton		COMMUNITY PLANNING AND DEVELOPMENT DIVISION Location Map Legend Change in Zoning from: "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District		Reference file: ZAC-00-02 Scale Not to Scale Date Feb., 2000 Technician: B. B. APPENDIX A
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Appendix "D" referred to in Section 5 of Report 07-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held April 5, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Proposed Neighbourhood Plan
Amendment to delete walkway.

Reference file:
P5-2-132

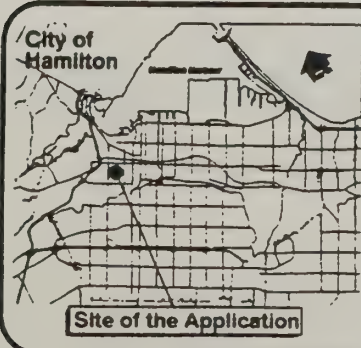
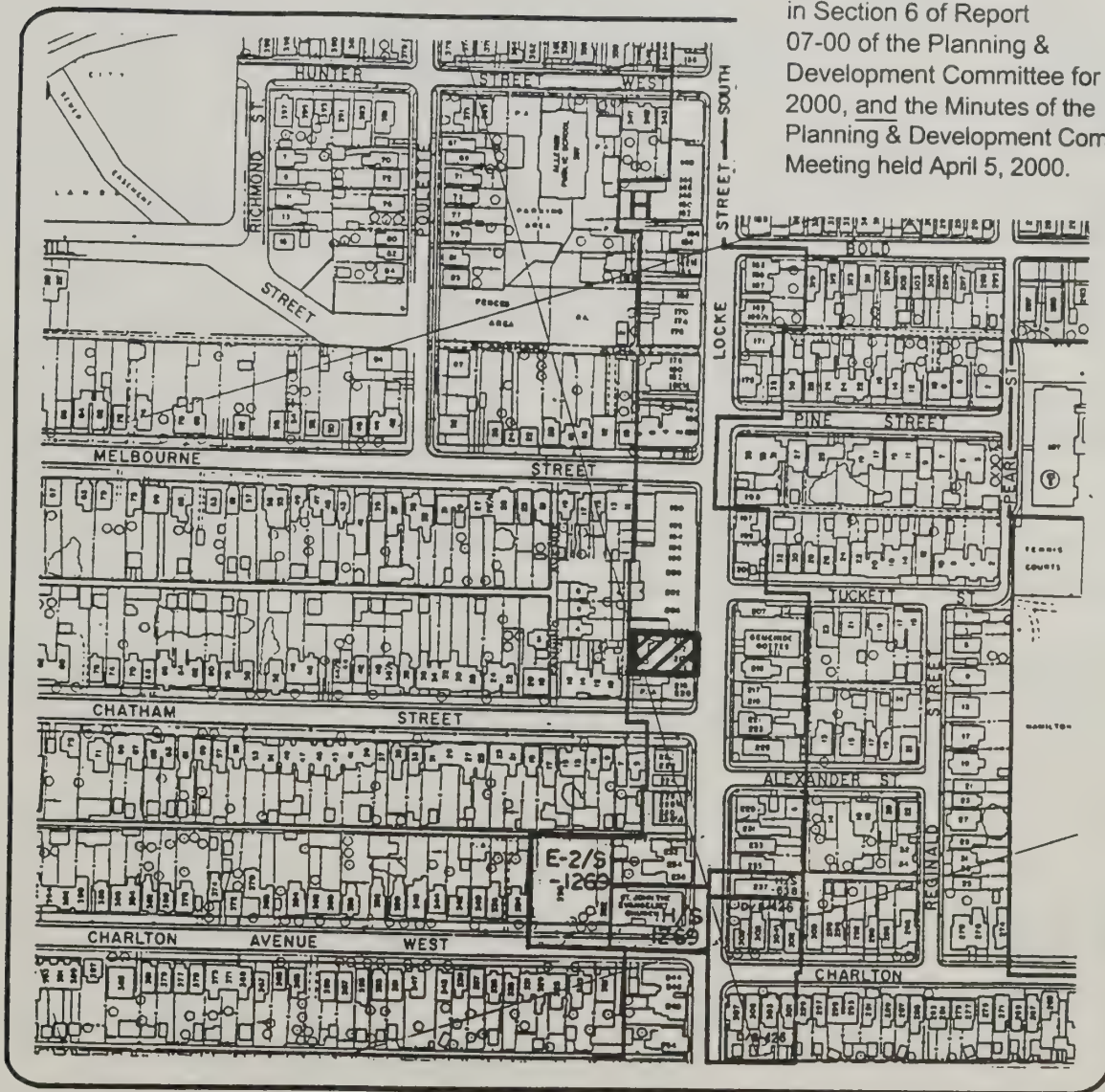
Scale
Not to Scale

Date
January 2000

Technician:
R.L.



Appendix "E" referred to in Section 6 of Report 07-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held April 5, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Subject Lands

Reference file:
CPL-00-01Scale
Not to ScaleDate
Mar. 2000Technician:
BB

REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Tuesday, April 11, 2000

5:00 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton



Present:	Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow (Civic Business)
Also Present:	Alderman Kiss, Alderman A. Horwath, Alderman C. Collins, P. Mallard, B. Janssen, G. Paparella, K. Nutley, N. Catalano, L. Piccione, N. Smith, T. Agnello
Alderman F. D'Amico, Chairperson, called the meeting to order.	

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 08-00 AND RESPECTFULLY RECOMMENDS:

1. Site Plan Control By-law 98-206, Woodland Meadows- Valery Construction- West 5th Street and Stone Church Road West

That approval be given to the amended request by Valery Construction Company Limited. Owner, of lands located east of West 5th Street and north of Stone Church Road East, to reduce the extent of the lands subject to Site Plan Control on the following basis:

- (a) That By-law No. 98-206 be rescinded; and,
- (b) That the Corporate Counsel be directed and authorized to prepare a By-law to amend By-law No. 79-275, as amended, to place the lands known as Lots 8, 9, 24, 32 and 33, Registered Plan 62M-899, for single family dwellings, under Site Plan Control.

2. Request for Proposal – 74 Hughson Street, Declaration and Sale of Surplus Property (item 2.2)

- (a) That no Heritage Designation be placed on the Former Health Department Building at 1 Hunter Street East/ 74 Hughson Street South; and,
- (b) That the issue of Request for Proposal, Declaration and Sale of Surplus Property be referred to the Finance and Administration Committee for consideration.

3. Demolition Permit, 245 Beach Boulevard

That a Demolition Permit be issued for 245 Beach Boulevard in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

4. Residential Rehabilitation Assistance Program- Hiring of a Temporary Technical Officer

That the Building Department Work with the Housing Division to immediately hire a Temporary Technical Officer to Process RRAP and downtown Grant and Loan Programs for conversion to residential and façade improvements Applications for a six-month position from within existing budgets. **AMENDED.**

5. Year 2000 Committee of Adjustment Conference- Huntsville, Ontario

- (a) That 5 members of the Committee of Adjustment be authorized to attend the year 2000 Committee of Adjustment Conference
- (b) That cost for attendance for Aldermen be allocated to Alderman's Travel Account No. COHAM 56325 300120.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Site Plan Control By-law 98-206, Woodland Meadows- Valery Construction- West 5th Street and Stone Church Road West (Item 2.1)

A memo containing a recommendation from the Community Planning and Development Division dated April 11, 2000 was distributed to the Committee members.

(c) **Request for Proposal – 74 Hughson Street, Declaration and Sale of Surplus Property** (item 2.2)

A memo from the Secretary of LACAC dated April 11, 2000 stating that the issue has been deferred to a special meeting of LACAC was distributed to the Committee members.

A discussion ensued regarding the merits of placing a historical designation on the property.

A motion was placed on the floor to not designate the building and to refer it to a special meeting of Finance and Administration Committee for their consideration.

A subsequent motion was placed on the floor to table this matter and refer it back to LACAC and was lost on a recorded vote as follows:

YEAS: Alderman Corsini, Alderman Haining, Alderman Charters
Alderman Kelly, Alderman D'Amico-5

NAYS: Alderman Copps, Alderman Caplan, Alderman
Eisenberger- 3 LOST

Subsequently the main motion was carried.

Leave was granted to introduce and deal with the following items:

(d) **Other Business**

- (i) Alderman Collins requested and the Committee concurred that a demolition permit be issued for 245 Beach Boulevard because it was recently razed in a fire.
- (ii) Alderman Charters requested and the Committee concurred that a temporary staff person be hired to process RRAP applications for a six-month period as the City has 1.7 million dollars in federal grants to be allocated.
- (iii) Alderman Charters requested and the Committee concurred that 5 members of the Committee of

Adjustment be sent to the year 2000 Committee of Adjustment Conference in Huntsville.

The Committee further directed Economic Development and Planning Staff to assign a person to assist in the co-ordination of the year 2001 Committee of Adjustment Conference to be held in Hamilton.

Note: The meeting of the Planning and Development Committee adjourned at 5:50 p.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
April 11, 2000**



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, April 4, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, D. Wilson, M. Caplan, A. Sloat

Also present:

Councillors B. Morelli, T. Jackson
J. Bruzzese, E. Holt, B. Neil, A. Ross, A. Zuidema, T. Bradbury,
L. Coveyduck, C. Swenor, E. Bourns, N. Catalano, R. Fair,
S. Farrauto, D. Rose, B. Dowd, B. Leonard, M. Wilson

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 08-00 AND RESPECTFULLY RECOMMENDS:

**1. HECFI Board - Grant request - Canadian Figure Skating Association -
2002 Canadian Figure Skating Championships (Item 9)**

- (a) That Region/City Councils and the Transition Board be requested to approve a grant of \$75,000. To the Canadian Figure Skating Association for the purpose of attracting the 2002 Canadian Figure Skating Championships to Copps Coliseum; and,
- (b) That the Province of Ontario be requested to provide funding for the event.

2. External Posting - Labour Relations Officer (HUR00005)(Item 10)

That the Acting General Manager of Human Resources be authorized and directed to advertise externally for a Labour Relations Officer.

3. Amendment to the Policy on Private Sector Solicitation of Employees (HUR99019a)(Item 11)

That the amended policy, attached herewith and marked Appendix "A" on private sector solicitation of employees be approved.

4. Association of Municipalities of Ontario Annual Conference - August 13 - 16, 2000, Ottawa, Ontario (Item 13)

That the Mayor, Chairman of the Finance and Administration Committee, or their designates, and four members of City Council be authorized to attend the Association of Municipalities of Ontario Annual Conference being held August 13 - 16, 2000 in Ottawa, Ontario.

5. Appointment By-law - Additional Temporary Acting Clerk (CS00020)(New Business #4)

- (a) That Susan K. Reeder be appointed Temporary Acting Municipal Clerk in the absence of the Acting Municipal Clerk; and,
- (b) That the By-law, respecting the appointment of an Additional Temporary Acting Municipal Clerk for the Corporation of the City of Hamilton, be approved for enactment by City Council.

6. Correspondence - Hamilton International Air Show - Request for funding of a Civic Reception (Item 19)

- (a) That the City of Hamilton host a Civic Reception - Crew/Volunteer Appreciation Night on June 16, 2000 for the 2000 Hamilton International Air Show, at a cost not to exceed \$5,000.; and,
- (b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegations Hostings Account No. CH 55314 84010.

7. Retirement Eligibility Extension - Terry Bryce (CS00019)(Item 21)

That the early retirement date for Terry Bryce, Systems Analyst, be extended to August 31, 2000.

8. Sale of Fire Vehicles (CSC00052)(Item 22)

- (a) That, in accordance with the Hamilton Fire Department Business Plan, and as a result of the tender process conducted in accordance with City Purchasing Policy, that the bid of \$225,001 exclusive of taxes for Truck #1699, 1990 GMC/Volvo Foam Unit from Darlington Nuclear Plant (Ontario Power Generation) be accepted; and
- (b) That Truck #1699, 1990 GMC/Volvo Foam Unit be available for training and pickup by Darlington Nuclear Plant (Ontario Power Generation) the week of April 17th, 2000; and
- (c) That the City Purchasing Department begin the tender process in accordance with the City Purchasing Policy to request offers for the sale of a second vehicle, Truck #1609, 1991 Grumman/Spartan Gladiator Ladder Truck; and
- (d) That the proceeds from the sale of the vehicles be applied to COHAM47606-480051002 Vehicles-New & Convert-B.P.

9. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN00034) (Item 23)

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in on the Schedule attached herewith and marked Appendix "B" to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
- (b) That the by-law to authorize the said Extension Agreements be enacted by City Council; and,
- (c) That the Mayor and Acting Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

10. Hamilton Fire Station No. 5, Minor Upgrades; Hamilton Fire Station No. 7, Ambulance Expansion and Minor Upgrades - Approval of Construction Contract Award (CSC00050)(Item 24)

- (a) That staff be authorized to issue a Purchase Order to G. S. Wark Limited of Hamilton in the amount of One Hundred and Seventy Six

Thousand (\$176,000.) plus applicable taxes of Twelve Thousand Three Hundred and Twenty (\$12,320.) for alterations to Fire Station Nos. 5 and 7 at 1000 Limeridge Road East and 225 Quigley Road as detailed in the Contract Documents issued on February 14, 2000; and,

- (b) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor; and,
- (c) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City; and,

11. Billiard Parlour Licences (PDC00074)(Item 25)

That the City of Hamilton Licensing By-law No. 98-203 be amended to provide for the following:

- (a) That restaurants and public halls be permitted to have up to two billiard tables, if it is considered to be accessory to the principle use of the business without a licence; and,
- (b) That Corporate Counsel be authorized and directed to prepare the necessary By-law amendments.

12. Cancellation of Tax Arrears Certificate and Subsequent Agreement to repay Outstanding Taxes on the property at 205 Cannon Street East (FIN00039)(Item 27.1)

- (a) That the General Manager, Finance and Corporate Counsel negotiate a repayment agreement with the owner of the property known municipally at 205 Cannon Street East, Hamilton, on or before August 15, 2000, which Agreement would be in lieu of the existing tax arrears certificate currently registered against title to the subject lands; and,
- (b) That in the event that a repayment Agreement is entered into between the City of Hamilton and the owners of the property known municipally as 205 Cannon Street East, Hamilton, the Tax Arrears Certificate currently registered against title to these lands be vacated on or before September 1, 2000.

13. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-015 A By-law to appoint an additional Temporary Acting Clerk for the Corporation of the City of Hamilton

- (b) D-016 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (c) D-017 A By-law to amend City of Hamilton Licensing By-law No. 98-203 respecting Billiard Parlour Licences
- (d) D-018 A By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

- Item 27.1** Cancellation of Tax Arrears Certificate and subsequent Agreement to repay outstanding taxes on the property at 205 Cannon Street East (FIN00039)
Alderman Caplan declared a conflict of interest in this matter as he is involved in personal business dealings with the proponents.

(b) Adoption of Minutes- Tuesday, March 21, 2000 (Item 8)

That the Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, March 21, 2000 be adopted.

(c) Information Items Listing (Item 12)

The Committee approved the receipt of the following Information Items:

- 12.1 Correspondence - Association of Municipalities of Ontario - AMO Secures Extension of Date for Setting Tax Rates - dated March 20, 2000
- 12.2 Correspondence - Association of Municipalities of Ontario - Results of the AMO Board of Directors Meeting - dated March 17, 2000
- 12.3 Correspondence - St. Joseph's Hospital - "Heroes 2000" program - sponsorship campaign - dated March 23, 2000
- 12.4 General Manager, Community Services Division - IAFF Local 288 Fund Raising Initiatives for 2000 (CSC00044) - dated March 17, 2000
- 12.5 Correspondence - LACAC resolution - 74 Hughson Street South - dated March 20, 2000

- (d) **Correspondence - The Canadian Peregrine Foundation - Fundraising Campaign - dated March 14, 2000** (Item 12.6)

The Committee agreed to refer this request to the City's Grants Committee.

- (e) **Delegation - John Badeau, 24 Cope Street North - Claim** (Item 16)

The Committee agreed to refer this matter to staff for a report back to a special meeting of the Committee prior to the next City Council meeting.

- (f) **Delegation - H.S.P.C.A.** (Item 17)

The Committee agreed to refer the future role of the H.S.P.C.A. function to the Transition Board Task Forces for consideration. The Committee further agreed to refer to staff the submission of the H.S.P.C.A. in order to review and report back on those areas which require immediate action.

- (g) **Minutes Special meeting - Finance and Administration Committee** (Item 18)

The Committee approved the minutes of its special meeting held on Tuesday, March 14, 2000, as amended to note Alderman Haining as "regrets - vacation".

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:45 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
April 4, 2000**

Appendix "A" as referred
To in Section 3 of Report
08-00 of the City Finance
and Administration
Committee

**CITY OF HAMILTON/REGION OF HAMILTON-WENTWORTH
HUMAN RESOURCE SERVICES
POLICY & PROCEDURE MANUAL**

SECTION: <i>Terms and Conditions of Employment</i>	
SUBJECT: <i>Private Sector Solicitation of Employees Policy</i>	POLICY NO.: 7.21
ELIGIBILITY: <i>All Employees</i>	

The City of Hamilton and the Region of Hamilton-Wentworth will not permit private sector companies to solicit or procure business from its employees.

This policy does not prohibit however consideration being given to the following groups to solicit or procure business or donations from its employees:

- *Charitable organizations;*
- *Youth or children's organizations;*
- *Professional sports organizations; and*
- *Other community groups*

Approval Date: 1999 November 30 (City); 1999 November 16 (Region)

Revision Date:

340

Cross-Reference:

SCHEDULE "A"
EXTENSION AGREEMENTS

Appendix "B" as referred
To in Section 9 of Report
08-00 of the City Finance
and Administration Committee

- | | |
|---------------------|-------------------|
| 1) PROPERTY ADDRESS | 78 REGENT AVE. |
| SERIAL NUMBER | 08 10410 4900 |
| REDEMPTION DATE | DECEMBER 22, 2000 |
| 2) PROPERTY ADDRESS | 81 ERIN AVE. |
| SERIAL NUMBER | 05 03620 5090 |
| REDEMPTION DATE | DECEMBER 7, 2000 |
| 3) PROPERTY ADDRESS | 19 ORCHARD HILL |
| SERIAL NUMBER | 01 00830 0990 |
| REDEMPTION DATE | DECEMBER 22, 2000 |
| 4) PROPERTY ADDRESS | 30 KING ST. E. |
| SERIAL NUMBER | 02 01515 0160 |
| REDEMPTION DATE | OCTOBER 14, 2000 |



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, April 11, 2000

7:00 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. M. Morrow – City Business
Also present:	Councillors B. Morelli, T. Jackson J. Bruzzese, A. Zuidema, L. Coveyduck, N. Catalano, M. Hill, K. Nutley, S. K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 09-00 AND RESPECTFULLY RECOMMENDS:

1. **Declaration of Surplus Property and Request for Proposals – 74 Hughson Street South, Hamilton (CS00006a) (New Business Item 1)**
 - (a) That the City owned property known at 74 Hughson Street South, Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049 and the attached Request for Proposals; (Draft) and,
 - (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049 to the successful proposal bidder in accordance with the attached Request for Proposals; (Draft) and,
 - (c) That as a condition of sale of the property, the successful proposal bidder enter into a development agreement with the City specifying the obligations of each party with respect to development of the site.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Caplan, Eisenberger. - 2.

CARRIED.

2. Settlement of Claim – No. 990137 (Item 2.1)

That an amount of \$300. be paid with respect to claim #990137, in exchange for a full release of liability.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

NOTE: The meeting of the Finance and Administration Committee adjourned at 7:20 p.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
April 11, 2000**



REPORT

CITY OF HAMILTON HAMILTON-SCOURGE STEERING COMMITTEE

Tuesday, April 11, 2000
6:30 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson)
Alderman M. Caplan (Vice-Chairperson)
Aldermen R. Corsini, B. Morelli, G. Copps, F. Eisenberger,
B. Charters

Regrets: Mayor R. M. Morrow
Alderman T. Anderson

Also Present: R. Fair, K. Duncliffe, M. Havelka, C. Touzel

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE HAMILTON-SCOURGE STEERING COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. Ghost Ships Millennium Project - Authorization to Enter into Contract with Aquatic Sciences Inc. (CSC00061) (Item 3)

That the General Manager, Community Services Division, be authorized to negotiate a contract in a form satisfactory to Corporate Counsel, with Aquatic Sciences Inc. to function as an agent of the City of Hamilton in the provision of Project Management and fundraising services for the Ghost Ships Millennium Project.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) **Adoption of Minutes** (Item 2)

That the Minutes of the Hamilton-Scourge Steering Committee for its meetings held November 30, 1999 and March 31, 1998, be adopted as circulated.

(c) **Updates** (Item 4)

Ross Fair, General Manager, Community Services Division, provided updates on the following:

- (i) An Act to Preserve Ontario's Marine Heritage and Promote Tourism by Protecting Heritage Wrecks and Artifacts (Private Member's Bill) has received 2nd reading and is being currently being considered by a Provincial Standing Committee; and,
- (ii) Status of the G. Gentile vs. the City of Hamilton court case respecting diving at the Hamilton-Scourge site; and,
- (iii) The Hamilton-Scourge Website has been visited by over 800 people since its creation in December, 1999.

Community Services Division Staff, namely Marilyn Havelka, Manager, Culture and Event Services; the Committee Chairman; the Minister of Canadian Heritage; and, Aquatic Sciences Inc., were congratulated for their efforts with respect to this project.

Note: The meeting of the Hamilton-Scourge Steering Committee adjourned at 6:42 p.m.

**Alderman F. D'Amico, Chairperson
Hamilton-Scourge Steering Committee**

**Charlene Touzel, Legislative Assistant
April 11, 2000**



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

Wednesday, March 29, 2000
6:00 p.m.
Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman D. Haining, N. Mleczko, D. Drury

Regrets: Alderman B. Kelly – City Business

Also Present: Alderman A. Horwath, Alderman R. Corsini, P. Lampman, D. Rose, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

THE CITY OF HAMILTON LICENSING COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. Michael Dozzi – Taxi Cab Driver Licence (Item 3.1)

That the Taxi Cab Driver Licence application of Michael Dozzi be denied until Mr. Dozzi obtains a Class G Driving Licence issued under the Highway Traffic Act.

2. Shaukat Bhatti – Taxi Cab Driver Licence (Item 3.2)

That the Taxi Cab Driver Licence application of Shaukat Bhatti be granted subject to Mr. Bhatti submitting an updated driving abstract to the Issuer of Licences on October 11, 2000.

3. Khalid Elhakeem – Taxi Cab Driver Licence (Item 3.3)

That the Taxi Cab Driver Licence of Khalid Elhakeem be suspended until Mr. Elhakeem obtains a Class G Licence issued under the Highway Traffic Act.

4. Irshad Hussain – Taxi Cab Driver Licence (Item 3.4)

That the Taxi Cab Driver Licence of Irshad Hussain be suspended until Mr. Hussain obtains a Class G licence issued under the Highway Traffic Act.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes – February 24, 2000 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on January 13, 2000 be adopted.

(c) Taxi Cab Driver Licence Hearings (Item 3)

The Licensing Committee met in camera to hold Show Cause Hearings with regard to the following Licences:

- (a) Michael Dozzi
- (b) Shaukat Bhatti
- (c) Khalid Elhakeem
- (d) Irshad Hussain

Confidential background material pertaining to these matters was circulated to Members of Council under separate cover.

(d) Monopoli Restaurant Inc. (Syndicate) 52 James Street - Restaurant Licence (Item 4)

In accordance with Licensing Committee direction at its meeting of February 24, 2000, a written report was received from Licence Division staff with regard to the above noted establishment. Verbal updates were received from the police and noise control officer and it was noted that the applicant had applied for a zoning change in order to apply for a Public Hall Licence. Input was received from Ward Alderman Andrea Horwath and from the licence holders. The operators requested that the 2.45 a.m. closing time be lifted and were advised that this would be dealt with at the next review in one

month's time, unless the applicant makes written application in the meantime for a special meeting to be held.

(e) **Taxi Plate Transfer Upon Death** (Item 5)

A verbal update was received from D. Rose, Supervisor of Licences and the Committee agreed to table this matter until the overall taxi plate by-law review is conducted by the Transition Board.

(f) **Other Business** (Item 6)

(a) **Taxi Plate Renewals for Michael McLoughlin (PDC00071)** (Item 6(a))

The Committee received for information a report dated March 21, 2000 from the General Manager, Community Planning and Development in this regard.

(b) **Ratification of Licences (PDC00070)** (Item 6(b))

The Committee formally approved the Licence Reports respecting licence applications for the period from November 16, 1999 to March 28, 2000.

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 6:45 p.m.

**Alderman Fred Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant,
March 29, 2000**



REPORT

CITY OF HAMILTON Grants Committee

Tuesday, March 28, 2000
9:30 a.m.
Room 233, Hamilton City Hall

Present: Alderman M. Caplan (Chairman)
Aldermen D. Wilson, B. Charters, T. Jackson

Also Present: Alderman R. Corsini
Dr. E. Richardson, J. Underwood, C. Bian, K. Duncliffe,
C. Biggs

Absent: Mayor R. Morrow – City Business

Alderman M. Caplan, Chairman, called the meeting to order.

THE GRANTS COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. 2000 City Grants Budget (CG00001a) (Item 3)

- (a) That the applications received from Mount Hamilton Youth Soccer Club, the Hamilton Lacrosse Association and Junior Achievement of Hamilton-Wentworth, be received; and,
- (b) That the following amounts be allocated from the 2000 City Grants Budget:
 - (i) Conqueror II (Category A-1), increased by \$3,520, from \$2,480 to \$6,000; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Haining. -1.

CARRIED.

- (ii) Symphony Hamilton (Category A-9), increased by \$3,520, from \$2,480 to \$6,000; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

- (iii) Hamilton Children's Choir (Category A-12) - \$700; and,

- (iv) Hamilton Folk Arts Heritage (Category B-3), increased by \$3,000, from \$2,490 to \$5,490; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

- (v) Volunteer Centre (Category D-6), increased by \$4,510, from \$2,490 to \$7,000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

FOR THE INFORMATION OF COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes – March 28, 2000 (Item 2)**

That the Minutes of the meeting of the Grants Committee held on March 28, 2000 be adopted.

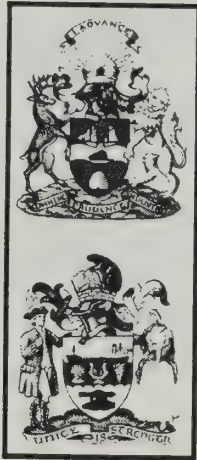
NOTE: The meeting adjourned at 9:45 a.m.

**Alderman M. Caplan, Chairman
Grants Committee**

**Carolyn Biggs, Legislative Assistant
April 6, 2000**

MAY 18 2000

GOVERNMENT DOCUMENTS



MINUTES

CITY OF HAMILTON COMMITTEE OF THE WHOLE\CITY COUNCIL

Tuesday, April 18, 2000
7:50 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
D. Haining, B. Morelli, D. Wilson, G. Copps,
C. Collins, T. Anderson, D. O'Sullivan.

Absent:

Alderman F. Eisenberger – Regional business
Alderman B. Charters – City business
Alderman T. Jackson – City business
Alderman B. Kelly – City business
Alderman F. D'Amico – City business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the report of the Committee of the Whole respecting the Transition Boards discussion of Hamilton Hydro Monies with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Wilson, Collins, Anderson, O'Sullivan. -12.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE – REPORT 01-00

Transition Board discussion of Hamilton Hydro Monies; and
Adoption of Bill E-006 – Confirming By-law

Mayor R. M. Morrow introduced Tom Gustafson, Attorney at Law and former speaker of the Florida State Legislature. Mr. Gustafson addressed the Council.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted. **CARRIED.**

* * * * *

Hamilton City Council then adjourned at 8:15 p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson, Acting Municipal Clerk
April 18, 2000
KCC/dg**



REPORT

CITY OF HAMILTON COMMITTEE OF THE WHOLE

Tuesday, April 18, 2000

7:50 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

MAY 18 2000

GOVERNMENT DOCUMENTS

THE COMMITTEE OF THE WHOLE PRESENTS REPORT 01-00 AND
RESPECTFULLY RECOMMENDS:

1. **Hamilton Hydro Restructuring Revenue**

- (a) That the City retain an outside consultant (separate than that being provided to the Transition Board) to provide a legal opinion and advice regarding the Transition Board's decision as stated in correspondence dated April 18, 2000 regarding Hydro restructuring revenues; and
- (b) That staff report back on the financial implications on the Transition Board decision.

2. **Hamilton Hydro Restructuring Revenue**

That City Council appeal to the Ministry of Municipal Affairs to clarify as soon as possible, the terms of reference of the Transition Board as it pertains to the Transition Board's recent opinion respecting the 9 Million Dollar Hydro Restructuring Revenue.

3. **Bill E-006: Confirming By-law**

That the following Bill be adopted, signed, sealed and enrolled as a By-law

E-006 A By-law to Confirm the Proceedings of The Council of the Corporation of the City of Hamilton.

**Mayor R. M. Morrow, Chairman
Committee of the Whole**

**Kevin C. Christenson, Secretary
April 18, 2000**



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, April 25, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

MAY 19 2000

GOVERNMENT DOCUMENTS

Present: Alderman B. Charters, Acting Mayor;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Kelly, F. D'Amico, D. O'Sullivan

Absent: Mayor R. M. Morrow – Civic Business
Alderman T. Anderson – Regional Business

Acting Mayor B. Charters called the meeting to order.

The National Anthem was played.

Father Francisco Janeiro, St. Mary's Church led Council in prayer.

PRESENTATIONS

Acting Mayor Charters recognized the Keep Hamilton Clean Committee who had declared May 1 to 7 as Pitch-In-Week.

Acting Mayor Charters presented Certificates of Recognition to the Hamilton Power Bladers In-Line Hockey Association for winning the 1999 Provincial and International Championships.

ADOPTION OF MINUTES

The Minutes of the meetings held April 11, 2000 (Regular) and April 18, 2000 (Special) were adopted as circulated.

CORRESPONDENCE

1. Application dated March 7, 2000 from Visplar Holdings, 5803 Yonge Street, North York for the removal of the "H" Holding Provision – Tiffany Park.

Received.

2. Application dated April 13, 2000 from 1136193 Ontario Inc., 966 Old Mohawk Road West, Ancaster for the removal of the "H" Holding Provision – 649 Upper James Street, Hamilton

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Finance and Administration Committee, and the Joint Budget Steering Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 10-00

Section 4 H.S.P.C.A.

It was moved by Alderman O'Sullivan and seconded by Alderman Jackson that Section 4 of Report 10-00 of the Finance and Administration Committee be amended to add the following as sub-section (f)

"(f) That the H.S.P.C.A. report back to the Finance and Administration Committee when the \$200,000 threshold is reached and what this amount was used for."

CARRIED.

Section 4 Re: H.S.P.C.A. – Line of Credit

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Copps. –1

CARRIED.

JOINT BUDGET STEERING COMMITTEE - REPORT 01-00

RESOLUTIONS

Rule No. 9 Re: Temporary installation of Public Art on City-owned lands for the Zone 6B: Art in the Environment Project.

It was moved by Alderman Horwath and seconded by Alderman Morelli that Rule No.9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the temporary installation of Public Art on City-owned lands for the Zone 6B: Art in the Environment Project.

CARRIED.

* * * * *

Re: Temporary installation of Public Art on City-owned lands for the Zone 6B: Art in the Environment Project.

It was moved by Alderman Copps and seconded by Alderman Morelli that

- (a) That the Zone 6B: Art in the Environment Project, be authorized to install five temporary public art pieces on City-owned property in the following locations from June 21 – September 4, 2000:

Bayfront Park (natural graded amphitheatre facing west to beach)
Churchill Park inside former Teaching Garden Compound
Gage Park (in perennial gardens on either side of fountain)
Sam Lawrence Park (N.E. facing Jolley Cut)
York St. Bridge (land on either side of York Blvd. on Hamilton side, and in the sculptural niches); and,

- (b) That the costs of installation, maintenance and dismantling be the responsibility of the Zone 6B: Art in the Environment Project; and,
- (c) That appropriate Staff be consulted prior to installation. **CARRIED.**

Rule No. 9 Re: Temporary installation of Public Art on City-owned lands by the Art Gallery of Hamilton.

It was moved by Alderman Horwath and seconded by Alderman Morelli that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the temporary installation of Public Art on City-owned lands by the Art Gallery of Hamilton. **CARRIED.**

Re: Temporary installation of Public Art on City-owned lands by the Art Gallery of Hamilton.

- (a) That the Art Gallery of Hamilton be authorized to install two temporary steel markers with the wording "Hidden Historic and Invisible Stories" at the following City-owned locations from June 21 - September 4, 2000:

Wellington Park
Eastport and Beach Blvd.; and,

- (b) That costs for installation, maintenance and dismantling be the responsibility of the Art Gallery of Hamilton; and,
- (c) That appropriate Staff be consulted prior to installation. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF MAY, 2000
--

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Kelly be appointed Acting Mayor for the month of May, 2000. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, the Joint Budget Steering Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

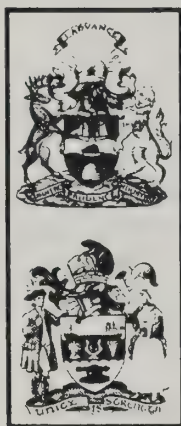
CARRIED.

Note: The meeting adjourned at 8:35 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson, Acting Municipal Clerk
April 25, 2000
KCC/dg**



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, April 18, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, C. Collins.
Regrets:	Alderman D. Haining – City business Alderman B. Charters – City business Alderman B. Kelly – City business Region Finance and Administrative Services Committee Councillor D. Wilson (Acting Chairman), Councillors D. O'Sullivan, R. Powers, M. Kiss, M. Caplan, A. Sloat
Regrets:	Councillor B. Charters, Chairman – City business Mayor G. Etherington, Vice-Chairman – Personal business Councillor F. D'Amico – City business Councillor B. Kelly – City business Mayor A. Bain – City business
Also present:	Councillors T. Anderson, G. Copps J. Bruzzese, A. Ross, L. Bourns, E. Holt, M. Kay, J. Gosnach, P. Meredith, K. Beattie, S. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 10-00 AND RESPECTFULLY RECOMMENDS:

1. Retirement Eligibility Extension (HUR00006)(Item 7)

That the early retirement date for Annie Holmes (Labour Relations Officer) be extended to August 31, 2000.

2. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN00043)(Item 11)

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the following owner to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
 - (i) 84 Fairfield Avenue North
- (b) That the required Extension Agreement By-law be enacted by Council; and,
- (c) That the Mayor and Acting Municipal Clerk be authorized to execute the aforesaid By-law and Extension Agreements.

3. Hamilton SPCA – Animal Control Fees (CM0012)(New Business #3)

- (a) That the fees charged for the impounding and care of dogs and cats and the annual licence fees for licensing dogs be increased as set out on the Schedule attached herewith and marked Appendix "A"; and,
- (b) That the amending By-law be enacted by City Council; and,
- (c) That this matter be referred to the Transition Board for approval.

4. HSPCA Line of Credit (FIN00046)(New Business #4)

- (a) That a Line of Credit be established with a maximum limit of \$400,000. for the Hamilton Society for the Prevention of Cruelty to Animals (HSPCA) to be available until December 31, 2001; and,
- (b) That annual repayments beginning December 31, 2002 through to and including December 31, 2004 on the outstanding balance of the Line of Credit commence at no interest unless repayments are in default, thereupon the rate of interest would be equivalent to that earned by the funding reserve; and,
- (c) That this Line of Credit be financed from the Reserve for Contingency; and,

- (d) That an agreement be executed with the concurrence of the General Manager, Finance and in a form satisfactory to Corporate Counsel; and,
- (e) That inasmuch as the term of this agreement covers the period through to December 31, 2004, this matter be referred to the Transition Board appointed under the City of Hamilton Act for approval, as required by Regulation 101/00.
- (f) That the H.S.P.C.A. report back to the Finance and Administration Committee when the \$200,000 threshold is reached and what this amount was used for. **ADDED.**

Recorded vote on Section 4 as amended.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps. -1

CARRIED.

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-019 A By-law to authorize an Extension Agreement for payment of realty tax arrears
- (b) D-020 A By-law to amend By-law No. 85-148 and By-law No. 86-343 respecting Animal Control and Licencing
- (c) D-021 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest** (Item 1)

None declared.

- (b) **Adoption of Minutes- Tuesday, April 4, 2000** (Item 6)

The Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, April 4, 2000 were adopted.

(c) Adoption of Minutes – Special Meeting – Tuesday, April 11, 2000 (Item 10)

The Minutes of the special meeting of the City Finance and Administration Committee held on Tuesday, April 11, 2000 were adopted.

(d) Cell Phone use in the Council Chambers (New Business #1)

The Committee agreed to request that the Acting Municipal Clerk report back on a proposed policy that would ban the use of cell phones in the Council Chambers.

(e) Monthly Meetings (New Business #2)

It was agreed that meetings would be scheduled for once a month, instead of twice a month if there were only a few agenda items to consider.

(f) Information Items (Item 12.1)

The Committee received an Information Report from the General Manager, Community Services dated April 10, 2000 entitled "National Emergency Preparedness Week – May 1 – 7, 2000 (CSC00064)

(g) Sale of Dog Licences (New Business #5)

The Committee directed that staff report back to the May 16th meeting on By-law changes to be made to require that licence requirements are enforced at the point of sale.

(h) Lease changes - Hamilton Farmers Market stalls (New Business #6)

The Committee directed that staff report back on lease changes at the Hamilton Farmers Market stalls.

(i) Transition Board - Hamilton Hydro Revenues - City 2000 Current Budget (New Business #7)

The Committee requested that the Mayor ask the Transition Board to defer on making a decision with respect to the above in order that a presentation can be made by the City to the Transition Board on this matter.

The Committee also requested that the Mayor call a Special Meeting of City Council, immediately following Regional Council on Tuesday, April 25, 2000 in order to discuss the City's position on this issue.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:30 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
April 18, 2000**

Appendix "A" as referred to
in Section 3 of Report 10-00
of the Finance and Administration
Committee

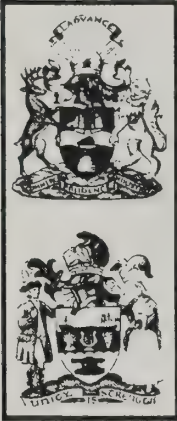
SCHEDULE 1

IMPOUNDING FEES

<u>Dog</u>	<u>new fee</u>	<u>current fee</u>
First Occurrence		
Impound fee – first day - licensed	\$30.00	\$26.00
Impound fee – first day – unlicensed	\$60.00	\$32.00
Care – additional days	\$15.00	\$7.00
Second and Subsequent Occurrences		
Impound fee – first day - licensed	\$60.00	\$30.00
Impound fee – first day – unlicensed	\$120.00	\$30.00
Care – additional days	\$15.00	\$7.00
<u>Cat</u>		
First Occurrence		
Impound fee – first day	\$30.00	\$20.00
Care – additional days	\$10.00	\$5.00
Second and Subsequent Occurrences		
Impound fee – first day	\$50.00	\$20.00
Care – additional days	\$10.00	\$5.00

LICENSING FEES

	<u>New Fee</u>	<u>Current Fee</u>
Altered dog	\$21.00	\$21.00
Unaltered dog	\$61.00	\$41.00
Senior - Altered dog	\$6.00	\$6.00
Senior - Unaltered dog	\$18.00	\$11.00



REPORT

CITY OF HAMILTON JOINT CITY/REGION BUDGET STEERING COMMITTEE

Tuesday, April 25, 2000
6:00 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

- Present:** Councillor B. Charters (Chairman), Councillors D. O'Sullivan, A. Sloat, R. Powers, G. Etherington, B. Kelly, A. Horwath, Regional Chairman T. Cooke
- Regrets:** Mayor R. Morrow - City Business
Councillor D. Wilson - City Business
- Also Present:** Councillors M. Caplan, C. Collins, G. Copps, R. Corsini, F. D'Amico, F. Eisenberger, M. Kiss, J. Bruzzese, A. Ross, R. Fair, C. Guthro, K. Christenson, J. Weatherhead, T. Tollis, J. Underwood, M. Hazell, T. Whitehead, E. Richardson, A. Leitch, T. Bradbury, C. Touzel, S. Reeder

Councillor B. Charters, Chairman called the meeting to order.

THE JOINT CITY/REGION BUDGET STEERING COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Department of Public Works and Traffic, Parking Services Section 2000 Current Budget (PWT00099) (Item 9)**
 - (a) That the Department of Public Works and Traffic, Parking Services Section, 2000 Current Budget, attached hereto and marked as Appendix "A", reflecting a surplus of \$381,850., be approved; and,
 - (b) That Report PWT00099 be forwarded to the Transition Board for approval.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

Note: The meeting of the Joint City/Region Budget Steering Committee adjourned at 6:45 p.m.

**Councillor B. Charters, Chairman
Joint City/Region Budget Steering Committee**

**Susan K. Reeder, Legislative Assistant
April 25, 2000**

Appendix "A" as referred to in Section 1
of Report 01-00 of the Joint City/Region
Budget Steering Committee

2000 PARKING SERVICES BUDGET

	1999		2000		Recommended		2000		\$	%
	Approved Budget (a)	Base Adjustment (b)	Adjusted Budget (c)	Maintenance Budget (d)	Restructuring (e)	Program Changes (f)	Adjustments (g)	Budget h = d + e + f + g		
TOTAL REVENUES:										
Administration	180,000	0	180,000	180,000	0	0	0	180,000	0	0.0%
Permanent Facilities	2,118,260	0	2,118,260	2,182,930	0	0	0	2,182,930	64,670	3.1%
Urban Renewal Lot	29,950	0	29,950	20,000	0	0	0	20,000	(9,950)	-33.2%
Convention Centre	1,087,800	0	1,087,800	1,087,800	0	0	0	1,087,800	0	0.0%
On-Street Parking	910,000	0	910,000	950,000	0	0	0	950,000	40,000	4.4%
Total Revenue	4,326,010	0	4,326,010	4,420,730	0	0	0	4,420,730	94,720	2.2%
TOTAL EXPENDITURES:										
Administration	1,080,290	0	1,080,290	1,015,400	0	0	0	1,015,400	(44,890)	-4.2%
Permanent Facilities	1,650,380	0	1,650,380	1,686,540	0	0	0	1,686,540	36,160	2.2%
Urban Renewal Lot	12,510	0	12,510	12,610	0	0	0	12,610	100	0.8%
Convention Centre	1,197,150	0	1,197,150	1,264,330	0	0	0	1,264,330	67,180	5.6%
On-Street Parking	80,000	0	80,000	80,000	0	0	0	80,000	0	0.0%
Total Expenditures	3,980,330	0	3,980,330	4,038,880	0	0	0	4,038,880	58,550	1.5%
SURPLUS/DEFICIT										
FROM OPERATIONS	345,680	0	345,680	381,850	0	0	0	381,850	36,170	10.5%
Transfer To Reserve For										
Off-Street Parking	368,790	0	368,790	434,740	0	0	0	434,740	65,950	17.9%
Transfer To Province	(31,830)	0	(31,830)	(56,590)	0	0	0	(56,590)	(24,760)	-77.8%
Transfer To Federal Government	8,720	0	8,720	3,700	0	0	0	3,700	(5,020)	-57.6%
SURPLUS/DEFICIT										
DISTRIBUTED	345,680	0	345,680	381,850	0	0	0	381,850	36,170	10.5%

**URBAN
MUNICIPAL**



MINUTES

CITY OF HAMILTON SPECIAL MEETING OF CITY COUNCIL

Tuesday, May 2, 2000

9:45 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the report of the Transport and Environment Committee be now considered in Committee of the Whole with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RULE NO. 9

Rule No. 9 Re: Rennie Street Closed Landfill Financing

It was moved by Alderman Wilson and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow the introduction of a motion respecting Rennie Street Closed Landfill Financing. **CARRIED.**

* * * * *

Re: Rennie St. Landfill design and construction of a leachate collection system

- (a) That as referred to in Section 1 of Report 07-00 of the Transport and Environment Committee, the increased cost for the closed Rennie Street Landfill design and construction of a leachate collection system of \$480,000 (to a maximum cost of \$1,100,000) be funded from the City's Tax Stabilization Reserve (Account No. 104055); and,
- (b) That this request is subject to approval by the Transition Board.

CARRIED.

* * * * *

Bill D-022: A By-law to Confirming the Proceedings of the Council.

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-022: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee, be adopted. **CARRIED.**

Hamilton City Council then adjourned at 9:55 p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

K. C. Christenson, Acting Municipal Clerk
May 2, 2000
KCC/dg



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, May 1, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, T. Anderson, F. D'Amico

Also Present: Alderman R. Corsini
C. Guthro, M. Hazell, T. Gill, R. Meiers, P. Dunn, B. Price,
C. Lee-Morrison, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. Rennie Street Closed Landfill (PWT00102)

- (a) That the City of Hamilton commence the first phase of the project to design and construct a leachate collection system to control and prevent any potential discharge from the Closed Rennie Street Landfill at an initial cost of \$1,100,00, which will include, but may not be limited to:
 - (i) maintaining the interim control measures;
 - (ii) conducting any additional investigations required to meet the Ministry of Environment Field Order;
 - (iii) conducting public consultation and applying for agency approvals;
 - (iv) designing leachate collection and landfill gas control systems and obtaining contractor quotes;

- (v) design erosion control and obtain contractor quotes; and,
- (b) That this phase of the project be deemed to be a Time Sensitive project pursuant to Purchasing Policy No. 5, and that the Acting City Manager and the Mayor be authorized to execute any documents, purchase orders, requisitions or contracts necessary to proceed with the initial phase of the project, to an upset limit of \$1,100,000; and,
- (c) That the Finance and Administration Committee recommend a method of financing these costs; and,
- (d) That staff be authorized to take any and all steps needed to obtain any necessary federal or provincial regulatory approvals required for the final project; and,
- (e) That staff report back within four weeks with a full report setting out the total cost of the project and a plan for completion.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
May 1, 2000**



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, May 9, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Barrie Bain, St. Giles United Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Oscar Kichi, Ramada Hotel.

Mayor R. M. Morrow presented a Certificate of Recognition to John Elder – Musical Festival - 1999 Executive of the Year Award. Mayor Morrow also acknowledged Brad Calder for his excellent work performance.

The Mundialization Committee presented Certificate of Recognition and Appreciation to Mayor R. M. Morrow.

The Ontario Museums Association presented posters to the Mayor in recognition of May 2000 being May Museum Month.

Mayor R. M. Morrow presented Awards to the Blessed Sacrament Minor Bantam Boys Basketball Team who won the 2000 Provincial "A" Championship.

ADOPTION OF MINUTES

The Minutes of the meetings held April 25, 2000 (regular) and May 2, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated April 26, 2000 from Sterling Honda, 925 Main Street West, Hamilton, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations for lands at 1489-1545 Upper James Street, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 08-00

Section 2 Re: Certificate of Approval – 239 Lottridge Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 09-00

Section 2 Re: Temporary Road Closures: Hess Street South, between King Street and Main Street

It was moved by Alderman Horwath and seconded by Alderman Corsini that Section 2 of Report 09-00 of the Transport and Environment Committee be amended to delete the words: “be approved, subject to the following conditions” and insert in lieu thereof the words “be denied and that applications for Festivals in Hess Village be based on the Guidelines as follows:”
CARRIED.

PARKS AND RECREATION COMMITTEE – REPORT 07-00

Section 3 Re: Hiring to fill positions

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D’Amico, O’Sullivan. –16.

NAYS: Alderman Haining. -1.

CARRIED.

Section 4 Re: Hiring to fill positions

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D’Amico, O’Sullivan. –16.

NAYS: Alderman Haining. -1.

CARRIED.

Section 7 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

Section 8 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

Section 9 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

Section 10 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

Re: Rule No. 9 Re: Name approval of Parks in the Corktown Neighbourhood

It was moved by Alderman Horwath and seconded by Alderman Corsini that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the approval of names for two Corktown Neighbourhood Parks. **CARRIED.**

* * * * *

Section 13 Re: Name approval for Corktown Neighbourhood Parks

It was moved by Alderman Horwath and seconded by Alderman Corsini that the following be added as Section 13 of Report 07-00 of the Parks and Recreation Committee:

13. Name Approval for Two Corktown Neighbourhood Parks (PWT00103)

- (a) That City Council approve the name "Corktown Park" for the newly constructed Community Park fronting on Forest Avenue and Ferguson Avenue; and,
- (b) That the existing "Corktown Park" fronting on Walnut Street and Augusta Street be renamed "Shamrock Park". **CARRIED.**

* * * * *

Re: Rule No. 9 Re: Alcohol in Parks

It was moved by Alderman Morelli and seconded by Alderman Kiss that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the sale of alcoholic beverages by the Hamilton Hornets Rugby Club at Mohawk Sports Park. **CARRIED.**

* * * * *

Section 14 Re: Alcohol in Parks – Mohawk Sports Park

It was moved by Alderman Morelli and seconded by Alderman Kiss that the following be added as Section 14 of Report 07-00 of the Parks and Recreation Committee:

14. Sale of Alcoholic Beverages - Mohawk Sports Park - Hamilton Hornets Rugby Club (CSC00083)

- (a) That approval be given to the actions taken by the General Manager of Community Services in authorizing the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on

May 6, 2000 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable insurance; and,

- (b) That approval be granted to the Hamilton Hornets Rugby Club to sell alcoholic beverages in Mohawk Sports Park on May 13, June 3, 10, 14, 18, 25, July 16, August 19, 26, September 9, 16, 23, 30 and October 14 and 15, 2000 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable insurance.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Copps, Charters, Jackson. -3.

CARRIED.

Rule No. 9 Re: Waiving of Green Fees for the International Children's Games Millennium Festival Golf Tournament

It was moved by Alderman Morelli and seconded by Alderman Kiss that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the waiving of green fees for the International Children's Games Millennium Festival Golf Tournament.

CARRIED.

Section 15 Re: Waiving of Fees – International Children's Games Millennium Festival Golf Tournament

It was moved by Alderman Morelli and seconded by Alderman Kiss that the following be added as Section 15 of Report 07-00 of the Parks and Recreation Committee:

15. Waiving of Fees - International Children's Games Millennium Festival Golf Tournament (CSC00084)

That the General Manager of Community Services be authorized to waive green fees for participants in the International Children's Games Millennium Festival Golf Tournament and fundraiser to be held at Chedoke Golf Course on June 14, 2000.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 09-00

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 10-00

Section 1 Re: Demolitions – 209, 211, 213 King Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 11-00

Section 6 Re: Cafeteria Food Services – City Hall

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Haining. -1.

CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 04-00

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:15 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson,
Acting Municipal Clerk
May 9, 2000
KCC/dg**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, May 1, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, T. Anderson, F. D'Amico

Also Present: Alderman R. Corsini
C. Guthro, M. Hazell, T. Gill, R. Meiers, P. Dunn, B. Price,
C. Lee-Morrison, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 08-00 AND RESPECTFULLY RECOMMENDS:

1. Parking for Services in Kind – International Children's Games – July 1 to 6, 2000 (PWT00077) (Item 7)

That, in accordance with the current City Council policy respecting "Parking for Services in Kind", the request of the International Children's Games to provide four (4) tickets to the Opening Ceremonies and six (6) tickets to the Closing Ceremonies (\$5000 value) in exchange for 50 parking spaces for eight days in the Convention Centre Parking Garage (\$5000 value), be approved.

2. Hotz Environmental Services Inc., 239 Lottridge Street – Applications for Amendments to Certificates of Approval Nos. A100146 and A650089 (PDC00081) (Item 8)

- (a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton does not object to the amendment to Certificate of Approval No. A100146 (hazardous waste transfer facility), for Hotz Environmental Services Inc. at 239

Lottridge Street, as shown on the Appendix "A" attached hereto, provided the following is undertaken:

- (i) All environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment;
 - (ii) Condition 1.(j) – The maximum 180 day temporary storage provision not be deleted, but extended from a maximum 180 day period to a maximum period of 1 year;
 - (iii) Condition 9. - Operating hours will only be extended to 7 days per week for the industrial waste component provided the applicant, Hotz Environmental, continues to implement a truck route that directs trucks away from the residential areas to the south, within the Stipeley Neighbourhood. Specifically, trucks will continue to enter the site southbound on Lottridge Street and exit the site northbound on Lottridge Street. Furthermore, Operating hours will only be extended to 7 days per week for the industrial waste component on a trial basis for a maximum period of one year. At the end of a one year period, the applicant will submit a summary of the frequency of weekend industrial services for review by the City of Hamilton, prior to any further amendment;
 - (iv) Condition 16.(10) – Temporary outdoor storage may be extended from "overnight" to a maximum period of one month per roll-off bin, rather than for "sufficient time for testing transferring and shipment scheduling" as requested. Furthermore, outdoor storage will only be expanded on a trial basis for a maximum period of one year. At the end of a one year period, the applicant will submit a summary of outdoor storage records for review by the City of Hamilton, prior to any further amendment;
- (b) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton does not object to the amendment to Certificate of Approval No. A650089 (paint recycling facility), for Hotz Environmental Services Inc. at 239 Lottridge Street, as shown on Appendix "A" attached hereto, provided the following is undertaken:
- (i) All environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment;
 - (ii) Condition 1.(i) - The maximum 180 day temporary storage provision not be deleted, but extended from a maximum 180 day period to a maximum period of 1 year;

- (iii) Condition 14.(6) - The temporary outdoor storage of roll-off bins be restricted to a maximum period of one month per roll-off bin. Furthermore, outdoor storage will only be expanded on a trial basis for a maximum period of 1 year. At the end of a one year period, the applicant will submit a summary of outdoor storage records for review by the City of Hamilton, prior to any further amendment;
- (c) That a copy of this report be forwarded to the West Central Branch of the Ontario Ministry of the Environment for their consideration;
- (d) That the West Central Branch of the Ontario Ministry of the Environment be requested to forward a copy of its final decision respecting the proposed amendments to Certificates of Approval Nos. A100146 and A650089 to the Municipal Clerk, City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

3. Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – May 1, 2000 (PWT00095) (Item 9.1)

That the requests for routine amendments, as listed in Appendix "B" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

4. 697 Burgess Avenue, Hamilton – Request for Wheelchair Loading Zone (New Business)

- (a) That a "Wheelchair Loading Zone, 7:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the south side of Glow Avenue, commencing 50 feet west of Burgess Avenue and extending to a point 25 feet westerly therefrom; and
- (b) That an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted.

5. Intersection of Acadia Drive and Mapleridge Drive– Intersection Control (New Business)

- (a) That an all-way stop control be implemented at the intersection of Acadia Drive and Mapleridge Drive;
- (b) That an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted.

6. Temporary Road Closure: Scouts Canada/Guides Canada Parade (PWT00094) (Item 9.2)

That the application of Scouts Canada/Guides Canada to temporarily close the following streets in the City of Hamilton:

Locke Street, from York Boulevard to Main Street
MacNab Street, from Main Street to Hunter Street
Jackson Street, from MacNab Street to City Hall parking lot,

on Saturday May 27, 2000, from 8:00 a.m. to 12:00 noon, for the annual Scouts Canada/Guides Canada Parade, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and,
- (b) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police, or his designate; and,
- (d) That all barricading be supplied by the City of Hamilton, Department of Public Works and Traffic; and,
- (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic; and,
- (f) That the applicant ensures those clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Acting Commissioner of Public Works and Traffic.

7. Appointment of Parking Control Officers (PWT00082) (Item 9.3)

That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Barbara Maher
Diane Buist

8. Appointment of Parking Control Officer (PWT00075) (Item 9.4)

- (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following person be appointed as a Parking Control Officer:

Juanita Flokstra

- (b) That the following appointments as Parking Control Officers be repealed:

Edward Brazier
John Harvey

9. Appointment of Chief Weed Inspector and Municipal Weed Inspectors in the City of Hamilton (PWT00092) (Item 9.5)

- (a) That the Director of Legal Services be authorized to draft the appropriate by-law to permit the appointment of the Chief Weed Inspector to enforce The Weed Control Act in the City of Hamilton as follows:

C. Guthro, Acting Commissioner, Department of Public Works and Traffic

- (b) That the Director of Legal Services be authorized to draft the appropriate by-law, appointing Municipal Weed Inspectors under The Weed Control Act, to permit the appointment of the following 21 inspectors:

R. Aldridge
P. Booker
J. Bovaird
R. Campanella
S. Capostagno
R. Del Conte
J. Dodman

A. Dore
R. Duckworth
R. Guenther
J. Holmes
H. Kerwin
C. Manning
P. McFarland

J. McShane
T. Perry
A. Polowy
S. Taylor
P. Tompkins
J. Turner
R. Yanke

- (c) That By-Law 99-031 be repealed.

10. Keep Hamilton Clean Committee – Appointment of Member (PWT00090)
(Item 9.6)

That the following citizen be appointed as a member of the Keep Hamilton Clean Committee with a term to expire on December 31, 2001:

John Nieminen

11. 170 St. Andrews Drive – Damage to Garden Shed and Fence (PWT00091)
(Item 9.7)

- (a) That the Commissioner of Public Works and Traffic be authorized and directed to reconstruct the 3m x 3m garden shed and a portion of the board fence abutting the public walkway at 170 St. Andrews Drive.
- (b) That the cost of the work estimated at \$3,800 be funded from the 2000 Current Budget – Paths and Walkways – Account COHAM 55065 424005.

12. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-026 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (b) A-027 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

FOR THE INFORMATION OF COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) **Adoption of Minutes – April 3, 2000 (Item 2)**

That the Minutes of the meeting of the Transport and Environment Committee held on April 3, 2000, be adopted.

(c) **Proposed Alteration of Ferguson Avenue North, between King William Street and Wilson Street (PWT00089) (Item 3.1)**

Mr. J. Beume, owner of the properties known as 182 and 183 Rebecca Street, appeared before the Committee.

Mr. Beume advised the Committee that should the proposed alterations be approved, that the existing parking lot at 183 Rebecca Street would be affected to the extent several parking spaces would be eliminated.

The Committee approved to table the recommendation contained in Report PWT00089 to a special meeting of the Transport and Environment Committee on May 9 (prior to City Council) in order to allow the Ward Aldermen and staff to meet with Mr. Beume to resolve his concerns.

(d) **Request from Mayor R. Morrow to address the Committee respecting 11 Robert Street (Item 4.1)**

Mayor R. Morrow and Alderman R. Corsini expressed concern that with the increased number of businesses in the James Street North area, existing parking is no longer sufficient.

The Committee approved that staff, in consultation with the Mayor and Ward Aldermen, bring a report back to the Committee on the possible acquisition of the property at 11 Robert Street, Hamilton.

(e) **Petition to Remove Aberdeen Avenue from the "Through Street" System (PWT00083) (Item 5)**

At the request of Alderman M. Kiss, the Committee agreed to table this item to the next regularly-scheduled meeting of the Committee.

(f) **Temporary Road Closures: Hess Street South, between King Street and Main Street (PWT00093) (Item 6)**

At the request of Alderman A. Horwath, the Committee agreed to table this item to a special meeting of the Transport and Environment Committee on May 9 (prior to City Council) in order to allow the Ward Aldermen to meet with the affected residents.

- (g) **Hotz Environmental Services Inc., 239 Lottridge Street – Applications for Amendments to Certificates of Approval Nos. A100146 and A650089 (PDC00081)** (Item 8)

Mr. Brian, Hinkley, Consultant, and Mr. H. Lim, Senior Vice President of Hotz Environmental Services appeared before the Committee to offer an update to the Committee on the continuing dialogue between representatives of Hotz Environmental and the affected area residents to address neighbourhood concerns.

- (h) **Rennie Street Landfill Site** (Item 10.1)

The Committee moved In Camera to receive legal advice and subsequently reconvened in Open Session.

- (i) **Information Items** (Item 9.8)

That the following items be received:

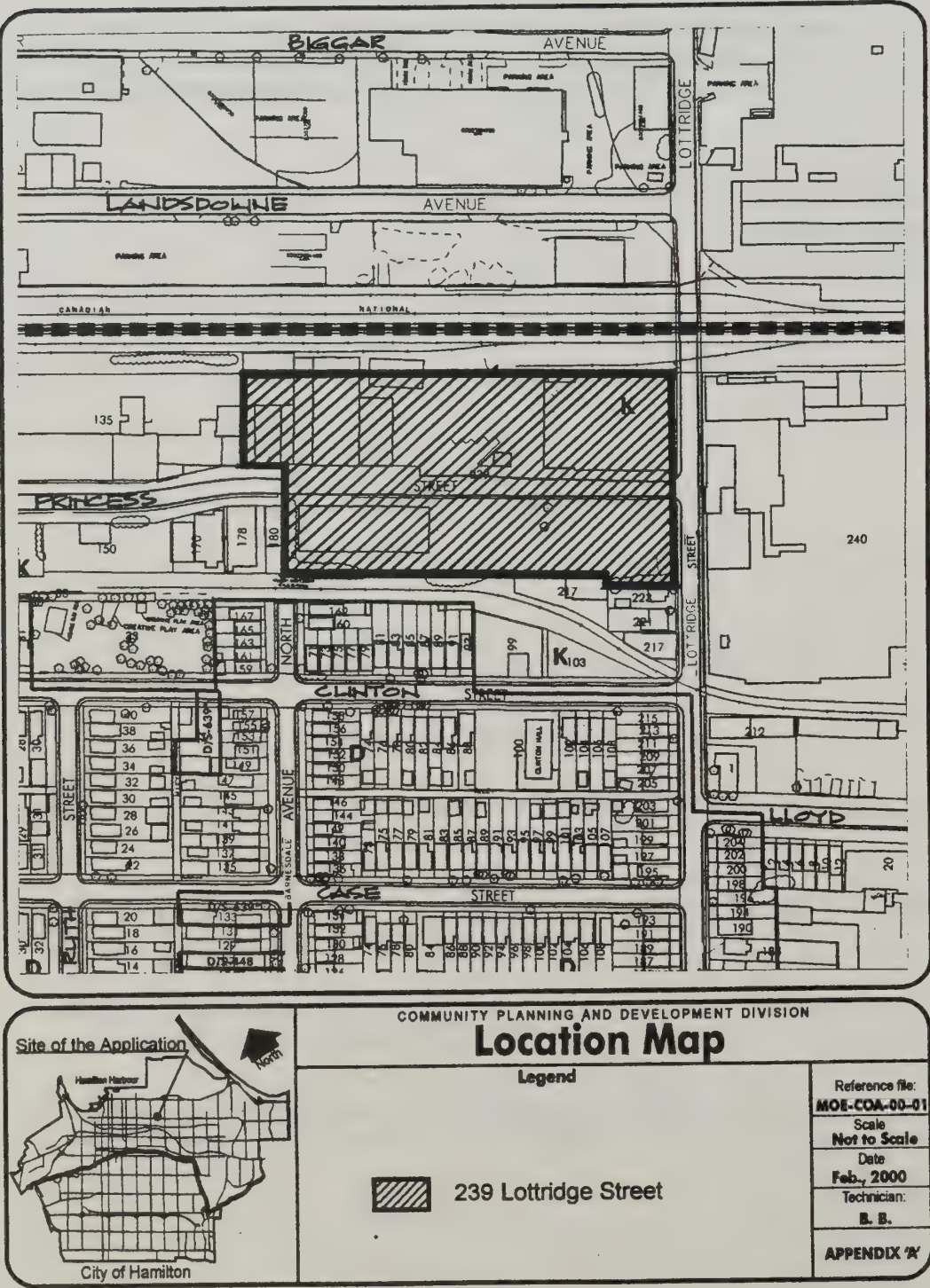
- (i) Noise Issues in the Downtown Core (PWT00081)
- (ii) Moratorium on Encroachment Fees in the Downtown Core (PWT00080)
- (iii) Reserved Parking under The Private Property By-law (PWT00084)
- (iv) Tender for Supply of Traffic Paint (TOE00007)
- (v) Minutes of the March 20, 2000 meeting of the Community Safety Zones Sub-Committee
- (vi) Correspondence to Mayor R. Morrow, respecting expansion of CP Rail Yard at Longwood and Aberdeen from:
 - (aa) The Honourable D. Anderson, M.P., Minister of the Environment, dated March 30, 2000
 - (bb) The Honourable D. Newman, M.P.P., Minister of the Environment, dated April 12, 2000

Note: The meeting of the Transport and Environment Committee adjourned at 11:00 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
May 1, 2000**

Appendix "A" as referred to in Section 2 of
Transport and Environment Committee Report 08-00



Appendix "B" as referred to in Section 3 of
Transport and Environment Committee Report 08-00

Ward 2

- (a) Christine Santos, 175 Picton Street East, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Picton, directly in front of her father's home since he is disabled.

Ward 3

- (a) Nancy Bates, 44 East Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of East, directly in front of her home since she is disabled.
- (b) Dave Oddson, 27½ Shaw Street, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Shaw, directly in front of his home since he is disabled.
- (c) Doug Doucette, 160 Avondale Avenue, has requested the implementation of two reserved "Permit Parking" regulations on each side of Avondale, since his wife and uncle are both disabled. Presently, there is an "Alternate Side Parking" regulation on Avondale. All four residents abutting the requested regulation have advised that they support the implementation of the subject regulations.
- (d) Ms. Diana Rychlik, 81 Case Street, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Case, directly in front of her home since she is disabled.

Ward 6

- (a) Principal Nora-Lyn Veevers, Fernwood Public School, 780 Ninth Avenue, has requested that the existing "No Stopping" regulation on the south side of Ninth, west of Fernwood, be extended westerly to improve the visibility of children crossing at the intersection of Ninth and Fernwood.

Ward 7

- (a) Mr. Garreau, 116 East 23rd Street, has requested that the existing full-time "Wheelchair Loading Zone" be removed from the west side of East 23rd in front of his home since his mother has passed away.
- (b) Alderman Bill Kelly has advised of requests from area residents that all-way stop control be implemented at the "T" type intersections of Pinewarbler and Skylark and Jay and Skylark, to discourage motorists from "shortcutting" through the neighbourhood to access Limeridge Mall. Both of these intersections meet the criteria for all-way stop control.



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Tuesday, May 9, 2000

6:00 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Mayor R. M. Morrow,
Aldermen M. Kiss, A. Horwath, B. Morelli, T. Anderson, F.
D'Amico

Regrets: Alderman D. Wilson
Alderman T. Jackson

Also Present: Aldermen M. Caplan, R. Corsini, G. Copps, F. Eisenberger,
B. Charters, D. O'Sullivan
C. Guthro, M. Hazell, R. Meiers, B. Price, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 09-00 AND RESPECTFULLY RECOMMENDS:

1. Proposed Alteration of Ferguson Avenue North, between King William Street and Wilson Street (PWT00089) (Item 2)

That the appropriate By-law to alter the roadway of Ferguson Avenue North, between King William Street and Wilson Street, by narrowing the pavement from the existing width which varies from 13.7m to 14.7m to a width varying from 8.5m to 12.7m, be passed and enacted.

2. Temporary Road Closures: Hess Street South, between King Street and Main Street (PWT00093) (Item 3)

- (a) That the application of the Hess Village Performing Arts Association to temporarily close Hess Street between King Street and Main Street

every weekend from 5:30 p.m. on the Friday until 3:00 a.m. on the following Monday, beginning June 16, 2000 for 10 consecutive weeks ending August 14, 2000, to hold a street festival, be denied and that applications for Festivals in Hess Village be based on the Guidelines as follows:

AMENDED.

GENERAL:

- (i) Any application to close a road in the Hess Village area, as defined by this document, will be processed on a first-come, first served basis; and
- (ii) The "Hess Village" area is defined, for the purpose of this document, as the area bounded by Main, Queen, King and Caroline; and
- (iii) If staff identify a problem with adherence/compliance with any bylaw/requirement, the Chairman of the Transport and Environment Committee will call a special meeting of that Committee to decide whether or not to rescind the road closure/noise bylaw exemption approvals; and
- (iv) Following the 2000 season's events, in accordance with the specified restrictions, staff, in consultation with the Ward Aldermen, will report back to the Transport and Environment Committee with any recommendations required to improve the restrictions and/or deal with any issues which arise.

NOISE:

- (v) Amplified sound, including set up, testing and performance will not begin until 11:00 am and will cease at 11:00 pm on all days of the week, except Sundays, where the amplified sound will not begin prior to 12:00 noon and will cease at 10:00 pm; and
- (vi) Applicants may seek an exemption to the City's Noise Bylaw 79-292 to allow amplified noise to continue until 12:00 midnight but only for Friday and Saturday nights for a maximum of two consecutive Fridays and Saturdays per month and only for the 2nd and 3rd weekends of June, July and August; and
- (vii) Sound equipment, stage and amplification location, including direction of staging equipment are to be approved prior to set up by the City's Chief Noise Control Officer, or his designate; and
- (viii) No other music to be played outside of any establishments, at any time pursuant to the City of Hamilton Zoning By-law. This includes outdoor speakers and/or live music; and

- (ix) The level of sound amplification created by the bands on the stage shall not exceed 90 db (peak) at any time and 80 db after 11:00 pm (when permitted to exceed the 11:00 pm noise bylaw). These levels to be monitored at the sound stage; and
- (x) The Chief Noise Control Officer, or designate, will monitor the event and be in attendance if necessary, at the applicant's expense, but will be required to be in attendance from 10:30 pm to 12:00 midnight for the 2nd and 3rd weekends in June, July and August when the amplified noise will be allowed to continue to 12:00 midnight.

ROAD CLOSURES:

- (xi) The applicant will reimburse the City for the loss of parking meter revenues (if any) as determined by the Manager of Community Traffic and Parking Services; and
- (xii) Except in the case of deliveries, emergencies or other special situations, the parking of vehicles within the "closed" area will be prohibited; and
- (xiii) All City sidewalks must remain unobstructed at all times; and
- (xiv) All road closures, posting of signs, clean up, staffing and security including attendance by the Hamilton-Wentworth Regional Police as determined necessary by the Chief of Police, will be at the expense of the applicant; and
- (xv) During the May to October "festival season", road closures may be approved (subject to monthly review of adherence to noise and other relevant City bylaws) only for the 2nd and 3rd weekends of June, July and August from 6:00 pm Friday evening until Monday morning at 7:00 am.

3. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

A-028 Being a By-law to Alter Ferguson Avenue North, between King William Street and Wilson Street, by narrowing the pavement.

FOR THE INFORMATION OF COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Temporary Road Closures: Hess Street South, between King Street and Main Street (PWT00093) (Item 3)

The Committee received the following delegations:

- (i) Jack MacDonald, 222 Jackson Street West, Apartment 1006
- (ii) Pamela Bragoli, 222 Jackson Street West, Apartment 1401
- (iii) Diane Kantowski, 222 Jackson Street West, Apartment 1606
- (iv) Ruth Chisholm, 222 Jackson Street West, Apartment 606.

The major point expressed by all of the above-listed residents concerned the levels of noise during the late evenings and early morning hours while the festivals and events are taking place in Hess Village.

Kevin Dinsa from the Vice and Drug Division of the Hamilton-Wentworth Regional Police Service also addressed the Committee.

Note: The meeting of the Transport and Environment Committee adjourned at 7:05 p.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
May 9, 2000**



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

Monday, May 1, 2000
1:15 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman B. Morelli (Chairperson) Alderman M. Kiss (Vice-Chairperson) Mayor R. M. Morrow Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson, T. Anderson, D. O'Sullivan
Also Present:	R. Fair, K. Duncliffe, G. Makins, S. Merlo-Orzel, W. Plessl, G. Maychak, B. Price, B. Dunn, J. Kiriakopoulos, K. Hall, J. Blake, C. Touzel
Alderman B. Morelli, Chairperson, called the meeting to order.	

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Civic Golf Courses (CSC00078) (Item 4)**
 - (a) That the full implementation of a seven day advance booking system at Chedoke Civic Golf Course be restricted during weekdays to the hours between 10:00 a.m. and closing; and,
 - (b) That for the purposes of establishing a Golf Course advanced booking system at all Hamilton Civic Golf Courses, that a 50/50 ratio of member to green fee booking times for weekend tee-offs be established, with all unbooked tee times available on a first come, first served basis; and,
 - (c) That Culture and Recreation Department Staff report back to the Parks and Recreation Committee on the impact of recommendation (b) above at the end of May, 2000; and,

- (d) That Culture and Recreation Department Staff report back to the Parks and Recreation Committee on the re-establishment of a 9-hole green fee rate (to begin two hours after twilight) at all Hamilton Civic Golf Courses.

2. Recreation and Senior Centre in the Riverdale Community - Award of Construction Contract (CSC00079) (Item 5)

- (a) That Staff be authorized to issue a Purchase Order to Ira McDonald Construction Ltd. of Burlington in the amount of Three Million Four Hundred and Twenty Two Thousand and Eighty Dollars, (\$3,422,080) plus applicable GST in the amount of Two Hundred and Thirty Nine Thousand and Five Hundred and Forty Six Dollars (\$239,546) to a total of Three Million Six Hundred and Sixty One Thousand and Six Hundred Twenty Six Dollars (\$3,661,626) to construct a Recreation and Senior Centre in the Riverdale Community at 157 Lake Avenue North as detailed in the Contract Documents (C3-700) issued on March 14, 2000 to be financed from the designated Capital Account COHAM709941066; and,
- (b) That the General Manager, Community Services Division, be authorized to expend \$200,000 to complete work as required due to unforeseen site conditions, if any revealed in the course of construction from Capital Account COHAM709941066; and,
- (c) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor; and,
- (d) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City; and,
- (e) That Staff be authorized to negotiate the required agreements, including the transfer of lands for the project as approved, in principle by both the Hamilton-Wentworth District School Board and the Hamilton Separate School Board; and,
- (f) That the Acting Director of Public Works and Traffic be authorized to remove one tree located in the area of construction, and to undertake the planting of replacement trees in accordance with City By-law No. 92-155 "Respecting Trees".

3. Authorization to Advertise Externally for Candidates to fill the Temporary Position of Project Manager (CSC00080) (Item 6.1 - Revised)

That the General Manager of Community Services be authorized to advertise externally for qualified candidates to fill the temporary contract position of Project Manager – Culture and Recreation Department, in accordance with Council Policy, as no qualified internal candidates were found.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Haining. -1.

CARRIED.

4. Authorization to Advertise Externally for Candidates to fill the Position of Historical Interpreter - Whitehern Museum (CSC00075) (Item 6.2)

That the General Manager of Community Services be authorized to advertise externally in order to ensure the best possible list of qualified candidates to fill the temporary position of Historical Interpreter for Whitehern Museum.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Haining. -1.

CARRIED.

5. Waiving of Fees - Ontario Ladies District Sectional Golf Tournament (CSC00074) (Item 6.3)

That the General Manager of Community Services be authorized to waive green fees for participants in the Ontario Ladies Sectional Golf Tournament to be held at King's Forest Golf Course, August 16, 2000 (rain or shine).

6. Fireworks Display for Scott Park Minor Baseball Park Opening (CSC00077) (Item 6.4)

- (a) That approval, as required by Sections 17 (01) and 26 of Fireworks By-law No. 90-198 and Section 5 of Parks By-law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to Scott Park Minor Baseball

Association to hold a Family Fireworks Display at Scott Park Baseball Diamonds on Monday, May 22, 2000 at dusk; and,

- (b) That Hands Fireworks Company be contracted to provide the licenced fireworks supervisor for the display.

7. International Children's Games Millennium Festival - Cultural Festival - Beer Garden Approval (CSC00076) (Item 6.5)

- (a) That approval be given to the General Manager of Community Services, on behalf of the City of Hamilton, to apply to the Alcohol and Gaming Commission of Ontario (AGCO) for a Special Occasion Permit for the purpose of operating a beer garden as part of the International Children's Games Millennium Cultural Festival; and,
- (b) That the beer garden be held on the Hamilton-Wentworth District School Board property (King and Bay Streets) on:

Saturday, July 1 from 11:00 a.m. – 11:00 p.m.
Sunday, July 2 from 11:00 a.m. – 11:00 p.m.
Monday, July 3 from 11:00 a.m. - 6: 00 p.m.; and,
- (c) That the event operate within the Terms and Conditions of the Special Event Guidelines.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

8. Sale of Alcoholic Beverages - Various Parks (CSC00073) (Item 6.6)

That approval, as required by Section 11 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Event Guidelines and in accordance with the Municipal Alcohol Risk Management Policy, be given to the following organizations to allow the sale of alcohol by Special Occasion Permit only in the locations and on the dates specified:

- (a) Wentworth Adult Mixed Slo-Pitch League – May 26, 27 and 28 and August 19 and 20, 2000 – Turner Park.
- (b) Hamilton Touch Football Association – May 27 and 28, 2000 – Mohawk Sports Park.

- (c) Wentworth Adult Mixed Slo-Pitch League and the Stoney Creek Ladies Slo-Pitch League – June 10 and 11, 2000 – Turner Park.
- (d) Hamilton Professional Firefighters Association – June 25, 2000 – Turner Park.
- (e) Gourley Park Community Association – July 7 and 8, 2000 – James MacDonald School Park.
- (f) Hamilton-Wentworth Police Association – July 7, 8 and 9, 2000 – Turner Park.
- (g) Kelsey's Annual Slo-Pitch Tournament – July 29 and 30, 2000 – Turner Park.
- (h) Hamilton Oldtimers Baseball Organization - August 19 and 20, 2000 - Mohawk Sports Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

9. Sale of Alcoholic Beverages - Globe Park - Hamilton and District Slo-Pitch League (CSC00072) (Item 6.7)

That approval be granted to the Hamilton and District Slo-Pitch League to sell alcoholic beverages at Globe Park on May 12, 2000 from 6:00 p.m. – 11:00 p.m. and May 13, 2000 from 12:00 p.m. – 11:00 p.m. and September 15, 2000 from 6:00 p.m. – 11:00 p.m. and September 16, 2000 from 12:00 p.m. – 11:00 p.m., by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Special Event Guidelines and the Municipal Alcohol Risk Management Policy.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

10. Sale of Alcoholic Beverages - Hamilton Police Association and the Hamilton Central Lions Club Annual Lobsterfest (CSC00071) (Item 6.8)

That approval be granted to the Hamilton Police Association and the Hamilton Central Lions Club to sell alcoholic beverages in Mountain Arena on June 3, 2000 from 6:00 p.m. - 1:00 a.m. for their annual Lobsterfest fundraising dinner by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable Insurance.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

11. Rental Fee Policy for the Stable at Whitehern (CSC00057) (Item 6.9)

That the new Whitehern Stable Rental Policy for the main floor of the rehabilitated Stable, attached hereto and marked as Appendix "A", be approved.

12. Grant Application of Young Canada Works in Science and Technology - Culture Division (CSC00059) (Item 6.10)

That the General Manager of Community Services be authorized to apply for a federal government Young Canada Works...In Science and Technology grant for \$10,000 to hire an intern to initiate a computerized database artifact cataloguing system for museum collections.

13. Name Approval for Two Corktown Neighbourhood Parks (PWT00103)

(a) That City Council approve the name "Corktown Park" for the newly constructed Community Park fronting on Forest Avenue and Ferguson Avenue; and,

(b) That the existing "Corktown Park" fronting on Walnut Street and Augusta Street be renamed "Shamrock Park". **ADDED.**

14. Sale of Alcoholic Beverages - Mohawk Sports Park - Hamilton Hornets Rugby Club (CSC00083)

- (a) That approval be given to the actions taken by the General Manger of Community Services in authorizing the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on May 6, 2000 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable insurance; and,
- (b) That approval be granted to the Hamilton Hornets Rugby Club to sell alcoholic beverages in Mohawk Sports Park on May 13, June 3, 10, 14, 18, 25, July 16, August 19, 26, September 9, 16, 23, 30 and October 14 and 15, 2000 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable insurance. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Copps, Charters, Jackson. -3.

CARRIED.

15. Waiving of Fees - International Children's Games Millennium Festival Golf Tournament (CSC00084)

That the General Manager of Community Services be authorized to waive green fees for participants in the International Children's Games Millennium Festival Golf Tournament and fundraiser to be held at Chedoke Golf Course on June 14, 2000. **ADDED.**

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - April 3, 2000 (Item 2)

That the Minutes of the meeting of the Parks and Recreation Committee held April 3, 2000 be adopted.

(c) Presentations/Delegations (Item 3)

- (i) **Hamilton Naturalists Club - Donation of \$10,000 for the Construction of the Hamilton Harbour Waterfront Trail - Ken Hall** (Item 3.1)

Ken Hall, Member of the Executive of the Hamilton Naturalist Club, presented the City with a cheque in the amount of \$10,000 for the construction of the Hamilton Harbour Waterfront Trail.

- (ii) **International Children's Games and Millennium Festival Update - John Kiriakopoulos, Chairman** (Item 3.2)

John Kiriakopoulos, Chairman, and Greg Maychak, General Manager, International Children's Games and Millennium Festival, appeared before the Committee to provide an update on the 2000 International Children's Games and Millennium Festival to be held in Hamilton from July 1-7, 2000.

The Committee was advised that approximately 2,250 athletes representing 78 cities from 32 countries will be participating.

A list of Members and upcoming events, as well as the brochure, poster and itinerary for the event, were distributed. A 30-second Public Service Announcement promoting the Games/Festival was also shown for the Committee's information.

- (d) **Hamilton Civic Golf Courses (CSC00078)** (Item 4)

Jake Blake, President, Chedoke Golf Course - Men's Section, was in attendance to address the report which was prepared in response to his letter presented at the last meeting.

Report CSC00078 was amended to amend subsection (b) respecting unbooked tee times on weekends and to add subsection (d) respecting a 9-hole green fee rate at all Hamilton Civic Golf Courses.

- (e) **Authorization to Advertise Externally for Candidates to fill the Temporary Position of Project Manager (CSC00080)** (Item 6.1)

A revised report CSC00080 was circulated and subsequently approved.

- (f) **Authorization to Advertise Externally for Candidates to fill the Position of Historical Interpreter - Whitehern Museum (CSC00075)** (Item 6.2)

Ross Fair, General Manager, Community Services Division, advised the Committee that Transition Board approval is required for this report.

- (g) **International Children's Games Millennium Festival - Cultural Festival - Beer Garden Approval (CSC00076)** (Item 6.5)

Alderman Jackson was recorded as opposed.

(h) **Sale of Alcoholic Beverages - Various Parks (CSC00073)** (Item 6.6)

Alderman Jackson was recorded as opposed.

(i) **Sale of Alcoholic Beverages - Globe Park - Hamilton and District Slo-Pitch League (CSC00072)** (Item 6.7)

Alderman Jackson was recorded as opposed.

(j) **Sale of Alcoholic Beverages - Hamilton Police Association and the Hamilton Central Lions Club Annual Lobsterfest (CSC00071)** (Item 6.8)

Alderman Jackson was recorded as opposed.

(k) **Information Items** (Item 6.11)

That the following items previously distributed to Members of Committee under separate cover, be received:

- (i) Sackville Hill Registration Survey Summary (CSC00067) (Item 6.11a)
- (ii) Hamilton First Night - New Year's Eve Celebration - Summary 2000 (CSC00070) (Item 6.11b)
- (iii) The Positively Downtown Program (CSC00069) (Item 6.11c)
- (iv) General Manager Approved Summer Park Events (CSC00068) (Item 6.11d)
- (v) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meeting held March 6, 2000 (Item 6.11e)
- (vi) Chrysanthemum Show for 2000 (Item 6.11f)

Note: The meeting of the Parks and Recreation Committee adjourned at 2:15 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
May 1, 2000**

**Appendix "A" as referred to in Section 11 of Report 07-00
and the Minutes of the Parks and Recreation Committee
for its meeting held May 1, 2000**

Whitehern Stable Building

Rental Policy

The rental policy is in place to establish rental rates and usage priorities for Whitehern Stable.

Room Rental/Use in order of Priority:

1. Museum programming
2. Private functions
3. For profit individuals, businesses and corporations
4. Not-for-profit groups and registered charitable organizations
5. City of Hamilton functions (free between 9:00AM and 4:00 PM, except during December)

Room capacity:

30-35 theatre style seating, 40-45 standing.

Rental rates:

Day rate: \$20.00/hour plus GST (3-hour minimum)

Evening rate: \$30.00/hour plus GST (4-hour minimum)

(when the majority of the rental period is after 5:00pm).

Children's birthday group: \$30.00/ hour plus GST, plus programme fees for a minimum of 10 children, between 1:00 and 4:00 PM only. *(This equates to \$50.00 minimum, \$2.00 x 10 children for tour and \$30.00 for use of stable for cake etc. following)*

(Rental fees subject to change)

Rental fees are for the use of the main floor only and include use of a coffee urn, coffee cups, teapots, tables, chairs, washrooms, kitchenette, and passive recreational use of the gardens (as out-lined in the Grounds Use Policy).

Rental fees do not include admission to the historic house, parking and any use of the garden, other than those outlined in the Grounds Use Policy.

Rental rates may be offered at a 20% discount for not-for-profit community groups.

Whitehern Stable Building Policy**Page 2****Conditions:**

1. The rental party waives any claim against Whitehern or its staff from any harm, injury or loss incurred during the rental of its facilities, and shall be responsible for maintaining the rented premises/facilities in the same condition in which they were rented. If any damages are incurred during the time of the contracted rental the Rental Party agrees to pay the damage/replacement cost and maintenance fee. Whitehern staff will make an inspection of the rented premises immediately following the rental period.
2. The rental party agrees to read the fire safety plan posted in the building and communicate this information to the occupants during the function.
3. Smoking is not permitted inside any building at the Whitehern site. Outside smoking facilities are provided. All smoking refuse is to be properly disposed of in the containers provided.
4. Your booking is confirmed upon receipt of a \$50.00 deposit. Balance is due at the end of the rental period. All payments must be made in the form of cash, cheque or money order.
5. In the event of cancellation by the rental party: if more than two months in advance, full refund; if less than two weeks in advance, loss of deposit; if less than two days in advance, loss of deposit and a cancellation fee of \$30.00 will be charged to cover expenses for scheduled staff.
6. Whitehern may cancel bookings at any time. In such a case, advance notice will be given.
7. Liquor may be served under the authority of a Special Occasion Permit and only with prior written approval of the Manager of Cultural Services. This permit is the responsibility of the rental party and must be received in advance of the event and will be posted by Whitehern staff.
8. Music must stop by 12:00 midnight and all persons must vacate the premises by 12:30 am.
9. No confetti or other litter is permitted on the site. No litter (e.g. Balloons, strings, etc.) is to be left on the site.
10. Catering and all other arrangements are the responsibility of the rental party.
11. Motorized vehicles are not permitted on the grounds, unless authorized by prior arrangement with Whitehern staff.
12. Decorations are the responsibility of the rental party and must not damage the facility in any way; no tack or tape on any surfaces. No candles or any kind of open flame is allowed.
13. Booking times are as indicated on the booking confirmation form. The premises must be tidied and vacated within the time specified, or an extra charge will be applied.
14. Whitehern may or may not be open for other events or activities on the day of the party booking. Only the area and washrooms/facilities reserved will be opened especially for the rental party. Should the rental party wish to use the garden, or arrange tours/programmes inside the historic house, this should be arranged in advance.

Whitehern Stable Building Policy

Page 3

15. The kitchenette is to be used for the preparation of coffee, tea and other beverages, and refrigerating or re-heating previously prepared light refreshments only. It is in no way intended for cooking meals.
16. Deliveries of food, decorations, equipment etc. must be made on the day of the event only between the hours of 1:00 to 4:00 PM or after the rental period begins. Sufficient set up time should be taken into consideration when planning the start time of the rental period.

April 2000.



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday May 3, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Regrets: Mayor R. Morrow (Civic Business)

Also Present: Alderman M. Kiss, Alderman A. Horwath, Alderman D. Wilson, Alderman B. Morelli, Alderman T. Anderson, L. Coveyduck, P. Mallard, B. Janssen, G. Paparella, J. Spolnik, E. Switinky, N. Smith, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 09-00 AND RESPECTFULLY RECOMMENDS:

1. **City Initiative for a Change in Zoning for No. 90 Kinrade Street (PDC00082)**
(item 2.1)
 - (a) That approval be given to City Initiative CI-00-B, for a change in zoning from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential – One and Two-Family Dwellings) District, modified, to permit a semi-detached dwelling (2 units), for lands located at No. 90 Kinrade Avenue, as shown on the attached Map marked as Appendix "A", on the following basis:
 - (i) That the subject lands be rezoned from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential – One and Two-Family Dwellings) District.

- (ii) That the "D" (Urban Protected Residential – One and Two-Family Dwellings) District regulations as contained in Section 10. of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - 1. Notwithstanding Section 10.(3)(i) a front yard of a depth of at least 5.4 m shall be provided and maintained.
 - 2. Notwithstanding Section 10.(4)(ii) a two-family dwelling shall have a lot area of at least 530 m².
 - 3. Notwithstanding Sections 18A.(14a) and 18A.(14g) required parking may be provided in a required front yard.
 - 4. Notwithstanding Section 18A.(1)(f) and 18A.(9) manoeuvring space for the required parking shall not be required.
 - 5. Any fence shall be setback a minimum of 5.0 m from the Kinrade Avenue road allowance limits.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1444, and that the subject lands on Zoning District Map E21 be notated S-1444.
- (iv) That Corporate Counsel be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E21 for presentation to City Council.
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That upon finalization of the implementing Zoning By-law, the Approved Gibson Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Single and Double Residential".

2. Request for a Modification in Zoning for Lands Located at 1015 Main Street West (PDC00083) (Item 2.2)

That approval be given to Zoning Application ZAR-00-06, Columbia International College, owner, for a modification to the established "C" (Urban Protected Residential, etc.) District for lands known as 1015 Main Street West as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations, as

contained in Section 9. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 9.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - 1. a commercial school for secondary school level education;
- (b) That Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-33 for presentation to City Council;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1445, and that the subject lands on Zoning District Map W-33 be notated as S-1445;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That Site Plan Control By-law No. 79-275, as amended, be further amended by adding the lands to Schedule "A".

3. Demolition of 9 Charlton Avenue West (PDC00076) (Item 4.1)

- (a) That subject to subsection (b) below, that the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 9 Charlton Avenue West, in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of The Planning Act (Section 33); and]
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 9 Charlton Avenue West subject to the following conditions:
 - (i) the applicant has applied for and received a building permit for a replacement building on the property; and,
 - (ii) the said building permit specifies that the new building be erected within two years of the demolition of the existing building on this property; and,
 - (iii) the said building permit specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000; and,

- (iv) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the Acting Municipal Clerk listed below) in a form satisfactory to the Building Commissioner and to the Corporate Counsel; and,
- (v) if the said building is not erected as required, the Acting Municipal Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid.

4. Demolition of 11 Charlton Avenue West (PDC00077) (Item 4.2)

- (a) That subject to subsection (b) below, that the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 11 Charlton Avenue West, in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of The Planning Act (Section 33); and]
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 11 Charlton Avenue West subject to the following conditions:
 - (i) the applicant has applied for and received a building permit for a replacement building on the property; and,
 - (ii) the said building permit specifies that the new building be erected within two years of the demolition of the existing building on this property; and,
 - (iii) the said building permit specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000; and,
 - (iv) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the Acting Municipal Clerk listed below) in a form satisfactory to the Building Commissioner and to the Corporate Counsel; and,
 - (v) if the said building is not erected as required, the Acting Municipal Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid.

5. Demolition of 1515 Upper Sherman Avenue (PDC00078) (Item 4.3)

That the Building Commissioner be authorized to issue a demolition permit for 1515 Upper Sherman Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

**6. King Street West Business Improvement Area (B.I.A.)
Proposed Budget and Schedule of Payment for 2000 (PWT00078) (Item 4.4)**

- (a) That the 2000 operating budget for the King Street West B.I.A., attached as hereto as Appendix "C", be approved in the amount of \$2,800; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and
- (c) That the following schedule of payment for 2000 be approved:

May \$2,800

Note: 1999 assessment appeals may be deducted from the 2000 levy payment.

**7. Downtown Hamilton Business Improvement Area (B.I.A.)
Appointment to the Board of Management (PWT00079) (Item 4.5)**

That the following individual be appointed to the Downtown Hamilton B.I.A.'s Board of Management:

Breckon Husband 4 Hughson Street South, Dalton Timmis Group

**8. Barton Village Business Improvement Area (B.I.A.)
Appointment to the Board of Management (PWT00086) (Item 4.6)**

That the following individuals be appointed to the Barton Village B.I.A.'s Board of Management:

Mitri Boukhers	448 Barton Street East, Bombardieri Uniforms
Anabela Martins	281 Barton Street East, Totta and Sottomayor Bank Canada
Marlene Balsdon	33 Princess Street, Master Paints and Varnish Co.

**9. International Village Business Improvement Area (B.I.A.)
Appointment to the Board of Management (PWT00088) (Item 4.7)**

That the following individual be appointed to the International Village B.I.A.'s Board of Management:

Frank Lauinger 203 King Street East (owner)

10. 227 St. Clair Blvd. – Heritage Permit for Rear Addition (PDC00075) (Item 4.8)

That a Heritage Permit be approved for a second storey rear addition to the house at 227 St. Clair Boulevard, in the St. Clair Boulevard Heritage Conservation District, as shown on the rear and side elevations attached hereto as Appendix "D".

11. Hamilton Beach Heritage District - By-law of Intent to Designate (PDC00073) (Item 4.9)

That the Legal Department be directed to prepare a by-law defining the portion of the Hamilton Beach Neighbourhood between 869 to 1019 Beach Boulevard, on the east side, and 856 to 1052 Beach Boulevard, on the west side, as shown on the attached APPENDIX "E", as an area to be examined for future designation as Hamilton Beach Heritage Conservation District.

12. Core Heritage 2000 Program, 72-76 James Street North (HSB00007) (Item 4.10)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of forty-nine thousand, two hundred and thirty-eight dollars (\$49,238) to Chin Yu Wu, registered owner of 72 – 76 James Street North, be approved.

13. Demolition, 15 Division Street (PDC00060) (Item 5.2.1)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 15 Division Street in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 15 Division Street where the applicant has applied for and received the required site plan control approval from

the Community Planning and Development Division and the site plan agreement has been registered on title.

14. Demolition, 74 Harrison Street (PDC00061) (Item 5.2.2)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 74 Harrison Street in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 74 Harrison Street where the applicant has applied for and received the required site plan control approval from the Community Planning and Development Division and the site plan agreement has been registered on title.

15. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-016 A By-law to Amend Zoning By-law No. 6593 Respecting: Land Located at Municipal No. 1389 Upper James Street.
- (b) C-017 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located South of Royalvista Drive and West of Upper Gage Avenue.
- (c) C-018 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located West of James Street North and East of Bay Street North and South of the CN Railway Line.
- (d) C-019 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at the North-West Corner of Upper James Street and Limeridge Road West (Formerly Known as Municipal No. 1078 Upper James Street).
- (e) C-020 A By-law to Define as a Heritage Conservation District the Area of the Hamilton Beach Neighbourhood Comprised of 869 to 1019 Beach Boulevard (East Side) and 856 to 1052 Beach Boulevard (West Side).
- (f) C-021 A By-law to Remove Land Within the "Woodland Meadows" Subdivision, Plan 62M-899 from Part Lot Control.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes – April 5, 2000 (Item 3)

The Minutes of the meeting held April 5, 2000 were adopted.

(c) City Initiative for a Change in Zoning for No. 90 Kinrade Street (PDC00082) (Item 2.1)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard advised that of 198 notices circulated, 2 replied in favour and 3 opposed.

A submission including a petition was received from Mr. Philip Chu on behalf of Our Lady of Vietnam Church, 644 Barton Street East.

Norm Westbury, Executive Director for Hamilton Habitat for Humanity was present. He stated that he is excited about the proposal. He also noted that there are many parking lots in the area.

Philip Chu was present in opposition to the recommendation and stated that the Church does not want others using their lot for parking as a result of losing a parking lot to the proponents for housing.

Alderman Haining advised that the parking lot has been closed for several years and that the BIA has no concerns.

In response to a question regarding timing, Mr. Westbury advised that they would build the homes in September and dedicate them in October.

Alderman Haining agreed to meet with Mr. Chu to resolve concerns.

* Alderman Copps was opposed.

(d) **Request for a Modification in Zoning for Lands Located at 1015 Main Street West (PDC00083) (Item 2.2)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the application. He recommended that the restriction to limit the rezoning to the existing building only be deleted. In this way the establishment is given the same consideration as other schools. Of the notices circulated 14 replied in favour and 7 opposed.

Alderman Copps was not in favour of the proposed amendment.

John Ariens, agent, 360 James Street North, Liuna Station was present on behalf of the applicant. With regard to Mr. Watson's correspondence he advised that the owner is prepared to repair the existing or erect a new chain link fence. He added that there is no residential accommodation and that the new owners will be good tenants.

Sam Gangbar of 981 Main Street West, the abutting neighbour was present on behalf of the 500 tenants. He stated that he is not in objection under the condition that the fence meets with his approval.

Alderman Caplan agreed to meet with the proponents and the neighbours in order to resolve any concerns.

The main motion was approved as amended to delete the restriction to limit the rezoning regarding future expansion to the existing building.

*Alderman Copps was opposed.

(e) **Information Items (Item 4.11)**

That the following Information Item as previously distributed to Members of the Planning and Development Committee be received:

- (i) Correspondence from the Director of Housing and Shelter to the Canada Housing and Housing Corporation dated April 18, 2000 re: RRAP program request for extension of deadline submission for construction estimates.

(f) **DELEGATION Alderman Anderson (Item 6)**

Request for Site Plan Application Fee Refund- 422 East 24th Street, Rito Gizzarelli

Alderman Anderson explained that the application was a request for an addition to the second floor and it did not affect the setbacks and was approved in 1 hour. Alderman Anderson felt that it is difficult to justify the fee charged.

Paul Mallard advised that the area was zoned modified "D" in the 70's to allow for reduced lot area and no yard requirements. Generally there are 60 applications per year.

Lee Ann Coveyduck advised that the fee is at cost recovery as based on an average fee.

Following discussion the Committee resolved that no action be taken on this matter.

(g) **CAPIC re: Former Health Department Building, 74 Hughson Street South (Item 5.1)**

Lee Ann Coveyduck advised that Council has approved the drafting of Requests for Proposals and that as part of such it has been anticipated that the building will be demolished.

A discussion ensued regarding the merits of an option for the façade to be maintained.

Alderman Horwath reiterated that a decision has been made not to retain the building.

The Committee resolved that the correspondence before them from CAPIC dated April 18, 2000 be received.

A further motion to permit proposals which would include the retention of the East-West and South facades of the building was introduced and defeated.

(h) **Demolitions: (previously tabled)**

15 Division Street (PDC00060) (Item 5.2.1)

74 Harrison Street (PDC00061) (Item 5.2.2)

Alderman Copps advised that Ms. Kim Dawson of 19 Division Street is in the process of working out an agreement with the proponents regarding

various conditions. Her property abuts both properties proposed to be demolished.

Paul Mallard advised that the properties will be placed under site plan but the Committee was concerned that the site plan affects the demolished properties only and not that of Ms. Dawson.

The Committee resolved to approve both demolitions conditional upon agreement being reached between both parties prior to the next City Council Meeting.

(i) Other Business (Item 7)

(i) Alderman Charters requested and the Committee concurred that a verbal report regarding the processing of applications under the RRAP Program and other Programs affecting the downtown core be presented at each meeting of the Planning and Development Committee.

(ii) Alderman Charters gave a brief history of the buildings at 207 to 213 King Street East and attempts to retain them in a proposed development. As it has been determined that it is not economically viable to keep them, they should be demolished.

The Committee resolved that a special meeting of the Planning and Development Committee be held prior to the next City Council meeting regarding a request for demolition of buildings at 207-213 King Street East. Staff is to bring information relevant to this to the meeting.

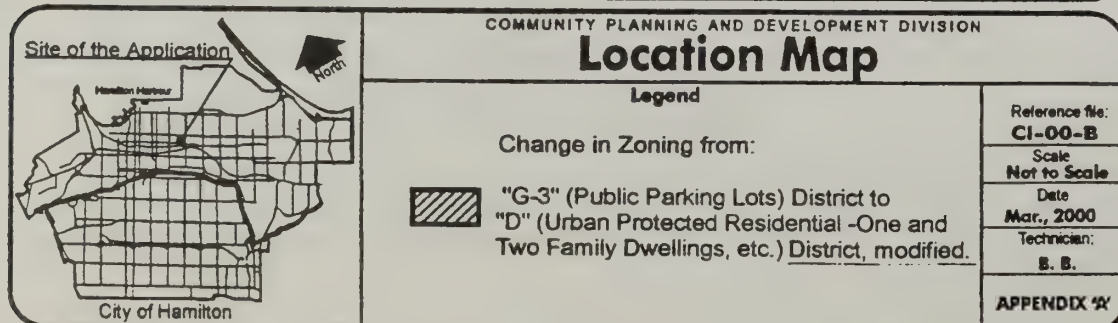
(iii) Upon the request of Alderman Wilson Building Division Staff was directed to review the proposed use of 56 Kenilworth Avenue North as a used car lot and the application of the by-laws regarding site plan.

Note: The meeting of the Planning and Development Committee adjourned at 11:20 a.m.

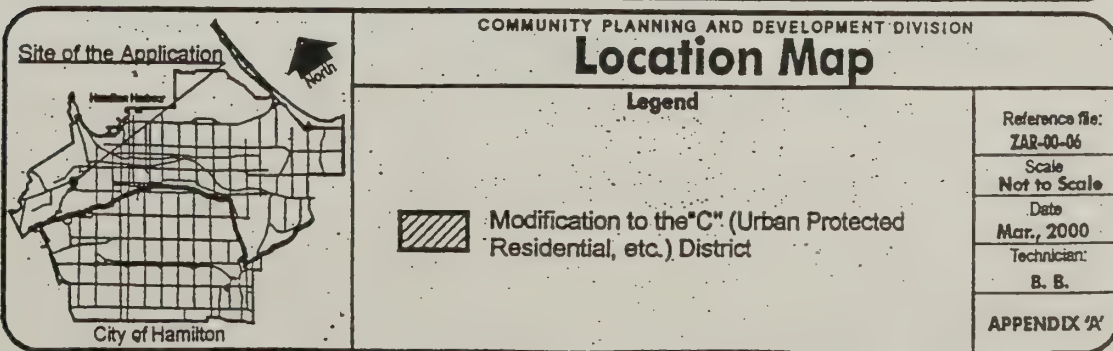
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
May 3, 2000**

in Section 1 of Report
09-00 of the Planning &
Development Committee f
2000, and the Minutes of t
Planning & Development C
Meeting held May 3, 2000.



Appendix "B" referred to in Section 2 of Report 09-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 3, 2000.



**King Street West Business Improvement Area (B.I.)
Proposed Budget and Schedule of Payment for 2000**

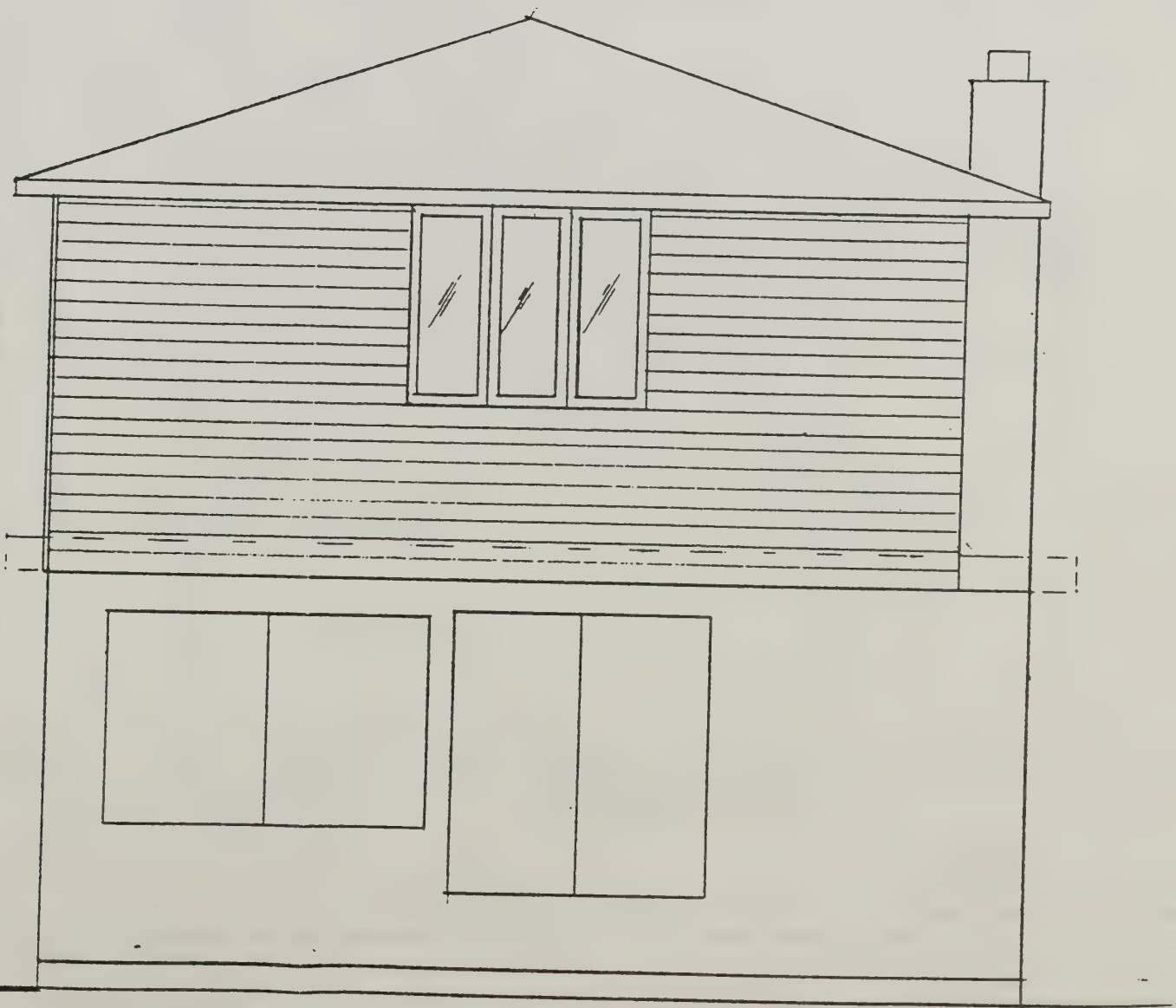
Appendix "C" referred to in Section 6 of Report 09-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 3, 2000.

**KING STREET WEST
BUSINESS IMPROVEMENT AREA'S**

2000 BUDGET

Insurance	\$ 810.00
Audit	\$ 400.00
Contingency fund	<u>\$ 280.00</u>
Plus: Administration, Advertising/promotion, Special events, Christmas Decorations, Meeting expenses, Office supplies, postage,	<u>\$1310.00</u>
TOTAL BUDGET	\$2800.00

Appendix "D" referred to
in Section 10 of Report
09-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held May 3, 2000.



REAR ELEVATION

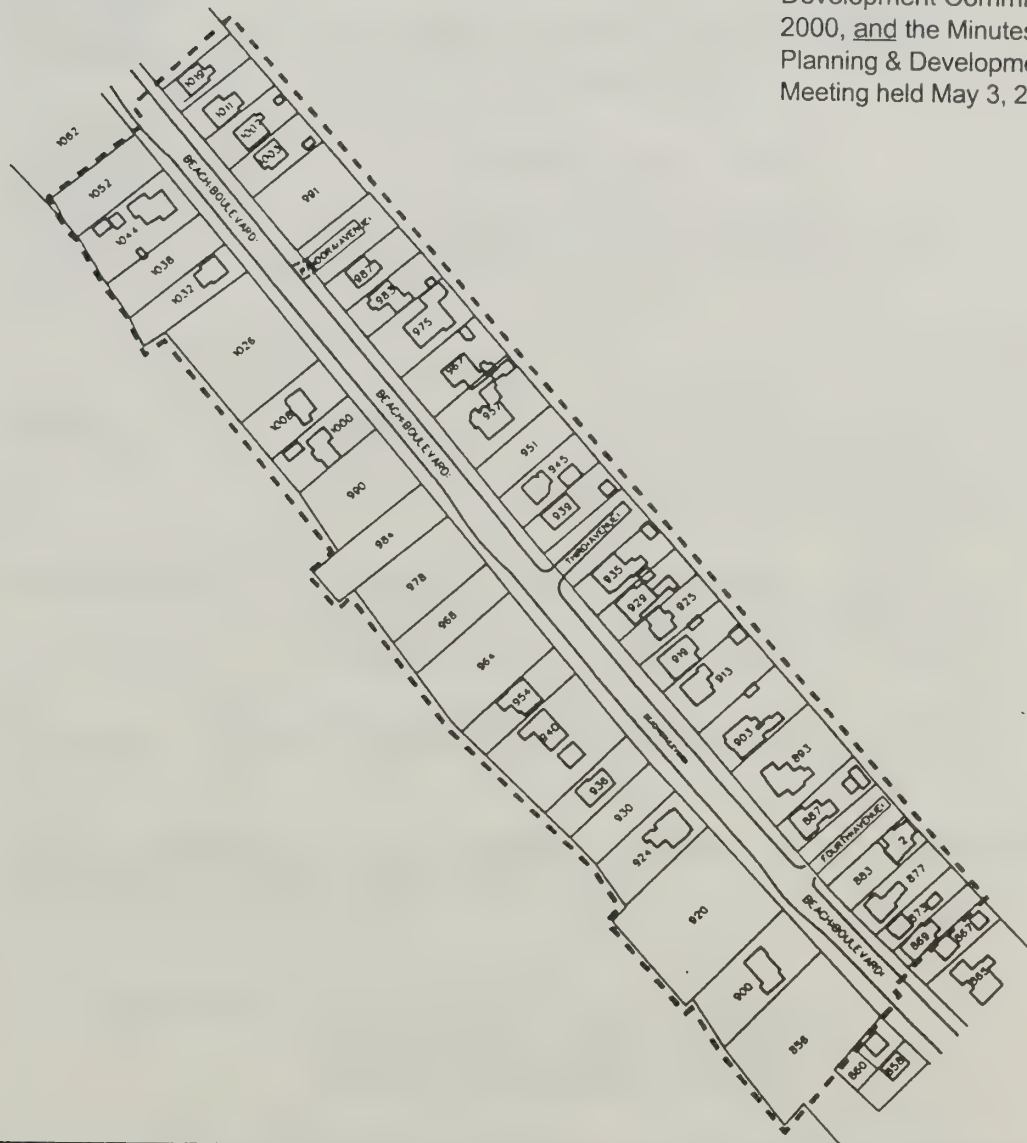
REAR ELEVATION

DISPOSE OF EXIST
DOEMER

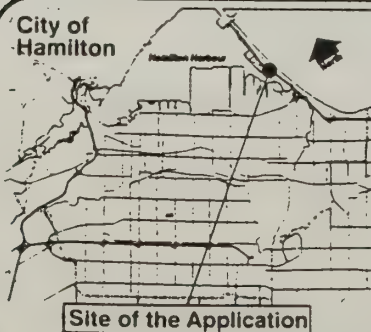
RETAIN ROOF SKIRT

SIDE ELEVATION

Appendix "E" referred to in Section 11 of Report 09-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 3, 2000.



City of Hamilton



Site of the Application

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map



Site of Application
(Hamilton Beach Area)

Reference file:

P5-2-60

Scale

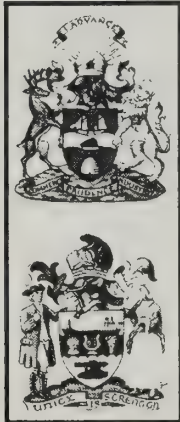
Not to Scale

Date

April, 2000

Technician:

JS**APPENDIX 'A'**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Tuesday, May 9, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman Horwath, Alderman O'Sullivan, L. Coveyduck, J. Hickey-Evans, P. Lampman, M. Mascarenhas, G. Gambioli, N. Smith, A. Ross, R. Foulds, C. Bian, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 10-00 AND RESPECTFULLY RECOMMENDS:

1. **Demolition:** 209 King Street East (PDC00088)
211 King Street East (PDC00089)
213 King Street East (PDC00090)

That the Acting Director of Building be authorized to approve an application for a demolition permit for the building located at 209, 211 and 213 King Street East.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

2. Second Ontario Municipal Board Decision – 195 Ferguson Avenue North (Wesley Drop In Centre) (PD99088F)

- (a) That Regional Council be requested to prepare a business case to determine if the continued operation of the Wesley Centre and the potential funding of the renovation improvements required by the Ontario Municipal Board make it financially viable for its operation to remain in its present location at 195 Ferguson Avenue North;
- (b) That concurrently, City Council shall appeal the decision of the Ontario Municipal Board to the Divisional Court.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Demolitions:

209 KING STREET EAST (PDC00088) (item 2.1.1)
211 KING STREET EAST (PDC00089) (item 2.1.2)
213 KING STREET EAST (PDC00090) (item 2.1.3)

Alderman Charters advised that the project is at the point of critical path. It is imperative that the demolitions proceed without conditions in order that construction begin in the Fall and in order to proceed as budgeted.

Lee Ann Coveyduck advised that the recommendation before the Committee is in accordance with policy.

In response to a question from Alderman Eisenberger, Mr. Mascarenhas advised that it is not possible to meet the conditions and proceed with the project on budget due to escalating construction costs.

Alderman Charters confirmed that one demolition is required for all three addresses.

Following discussion the Committee resolved that the demolitions for all three addresses be approved with no conditions.

* Alderman Copps was opposed.

(c) Second Ontario Municipal Board Decision – 195 Ferguson Avenue North (Wesley Drop In Centre) (PD99088F) (Item 3)

The Committee adjourned into closed session, reconvened immediately thereafter and approved the report of the General Manager, Community Planning and Development Division and Corporate Counsel, Corporate Services Division dated May 4, 2000 as amended to concurrently appeal the decision of the Ontario Municipal Board to the Divisional Court.

Note: The meeting of the Planning and Development Committee adjourned at 5:45 p.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
May 9, 2000**



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, May 2, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow – City Business Region Finance and Administrative Services Committee Councillor B. Charters, Chairman, Councillor G. Etherington, Vice-Chairman, Councillors D. O'Sullivan, R. Powers, M. Caplan, A. Sloat, B. Kelly, F. D'Amico, A. Bain
Regrets:	Alderman M. Kiss – personal business
Also present:	Aldermen R. Corsini, B. Morelli, F. Eisenberger, J. Bruzzese, A. Ross, L. Bourns, R. Fair, A. Zuidema, B. Desnoyers, H. Kayal, T. Whitehead, R. Male, S. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 11-00 AND RESPECTFULLY RECOMMENDS:

1. **Purchase of Engine Exhaust Extraction Equipment - City of Hamilton Fire Stations (CSC00081) (Item 11)**
 - (a) That a purchase order be issued to Nederman Canada Limited, Mississauga, for the purchase and installation of Exhaust Extraction Equipment in an amount not to exceed \$237,540 inclusive of all applicable taxes, PST exempt; and,

- (b) That the General Manager of Community Services be authorized to expend up to \$20,000 in project contingency to resolve unforeseen site conditions, if required; and,
 - (c) That the Mayor and the Acting Municipal Clerk be authorized and directed to execute the necessary contract for this purchase in a form satisfactory to Corporate Counsel.
- 2. **Authorization to investigate various financing options, including issuing Request for Proposals, to obtain financing for the Multi-pad Arena and Sports Complex Project (CSC00066) (Item 12)**
 - (a) That staff be authorized to investigate financing options, including issuing Request for Proposals to obtain financing for the development and construction of the Multi-pad Arena and Sports Complex with a view to finding the most advantageous source of funds; and,
 - (b) That staff report back on the results within the context of the report on the final negotiations with the preferred proponent, Arena Corp/JBK Development.
- 3. **Hamilton Municipal Retirement Fund Changes (FIN00056) (Item 13)**
 - (a) That the Hamilton Municipal Retirement Fund plan be amended to reflect a 66 2/3% spousal benefit for post 1981 retired fire fighters and surviving spouses; and,
 - (b) That pensioners who have elected a spousal benefit of at least 60% at retirement or as a result of a re-election have their benefit increased to 66 2/3% effective June 1, 2000; and,
 - (c) That any remaining spousal benefits under payment of at least 60% are increased to 66 2/3%.
- 4. **Hamilton Municipal Retirement Fund Pension Equity with OMERS (FIN00055) (Item 14)**

That guaranteed pension indexing within the Hamilton Municipal Retirement Fund commence January 1, 2000 as follows:

 - (a) The guaranteed inflation increase will be 100% of the Consumer Price Index (CPI) up to a maximum guaranteed increase in any year of 6%; and,

- (b) An additional ad hoc "top up" increase may be granted to coincide with OMERS "top up" increase by the H.M.R.F. if the H.M.R.F. Plan surplus allows any rise in the CPI greater than 6%, the excess will be carried forward to future years until it can be applied; and,
- (c) Pensions under payment will receive the greater of the percentage increase or the increase calculated under the service method (\$1 x the number of years service (to a maximum of 35) x the number of years on pension); and,
- (d) The increase is effective January 1 each year.

5. Taxi Plate Transfer upon death of Plate Owner (Item 15)

That the Licensing By-law 98-203, as amended, Schedule 4, respecting Taxicabs be amended to provide that on the death of a taxicab owner, the plate or licence sticker shall be returned to the licensing section and after filing documentation sufficient to prove that the licence is an asset of the estate, the licence may be transferred to the estate of the deceased taxicab owner and may be held in the name of the estate until disposition to a person qualified under this By-law:

- (a) That the following must be filed to effect transfer of an owner's licence to the estate:
 - (i) Proof that the person disposing of the property has legal status to make the transfer; and,
 - (ii) Proof of insurance in the name of the estate; and,
 - (iii) Proof of ownership of vehicle in the name of the estate; and,
- (b) That the transfer of the licence to the estate of the deceased can only be held for one year and if not disposed in that time period, it shall be revoked by Council.

6. Cafeteria/Food Services at Hamilton City Hall (FAC00003) (Item 16)

- (a) That the City of Hamilton exercise its final option to renew the Lease Agreement with Carmen's Catering Ltd. for the provision of Cafeteria/Food Services at City Hall for a term of one (1) year from April 6, 2000 to April 6, 2001 with an option to extend the agreement for an additional year to expire April 6, 2002 if so decided by the City on the following terms and conditions:

- (i) That the business and realty taxes be reassessed by the Ontario Property Assessment Corporation based on the square footage of space that Carmen's is exclusively using (kitchen/counter area); and,
- (ii) Royalties (5% of gross sales) be excluded from the terms and conditions of this Agreement; and,
- (b) That the Director of Facilities Management report back to the Finance and Administration Committee on alternative Food Services for the "New" City of Hamilton, City Hall; and,
- (c) That the Mayor and the Acting Municipal Clerk be authorized and directed to execute an Agreement with Carmen's Catering Ltd. in a form satisfactory to Corporate Counsel; and,
- (d) That this report be forwarded to the Transition Board for their approval.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

7. Message of Support - Kinsmen Kinette Publication (Item 18.1)

- (a) That the City provide a message of support for the Kinsmen Kinette Publication at a cost of \$250; and,
- (b) That funding for this expenditure be charged to the COHAM-55401-345400.

8. Grant - First Unitarian Church, 170 Dundurn Street South - Outstanding 1998 taxation year

- (a) That the City provide a grant to the First Unitarian Church of Hamilton, in the amount of \$2,430 for payment of the City's portion of outstanding taxes on the property at 170 Dundurn Street South for the 1998 year; and,
- (b) That this be funded from Contingency Reserve COHAM 104015; and,
- (c) That the Region and the School Boards be requested to provide the same grant funding for their portion of the outstanding 1998 taxes.

9. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-023 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes - April 18, 2000 (Item 6)

The Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, April 18, 2000, were adopted.

(c) Information Items Listing (Item 7)

The Committee approved the receipt of the following information items:

- (i) Resolution – Township of Glanbrook, Animal Control Services for the New City of Hamilton
- (ii) Resolution - Township of Glanbrook - Agricultural Sub-Committee of the New City of Hamilton
- (iii) Acting City Manager - Information Report - Transition Board Secondments (CM0014)
- (iv) General Manager, Finance - Information Report - Conference, Travel Report (FIN000051)

(d) Delegation – Hamilton Professional Firefighters Association – New Medical Response Protocol for the Fire Department (Item 10)

The Committee received a delegation from the H.P.F.A. Copies of their presentation dated May 2, 2000 were circulated. Copies of a report from the General Manager, Community Services (CSC00082) were circulated.

The Committee agreed to table this matter until the June 6th meeting and directed that the General Manager, Community Services and Fire Chief report back to that meeting with an analysis of the statistics on the tiered response.

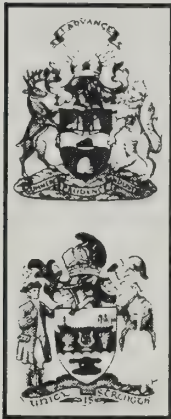
(e) **Financing – Rennie Street Closed Landfill (FIN00059) (New Business #1)**

The Committee was in receipt of the above-noted matter and agreed to forward this matter to the Special meeting of City Council scheduled for May 2, 2000 to consider the main issue respecting the Rennie Street Closed Landfill.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:45 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
May 2, 2000**



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

Wednesday, April 26, 2000
6:00 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman B. Kelly, (Vice Chairperson), N. Mleczko, D. Drury

Regrets: Alderman D. Haining – City Business

Also Present: Alderman A. Horwath, D. Rose, D. Beck, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

THE CITY OF HAMILTON LICENSING COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. Syndicate Nightclub (PDC00049(B)) (Item 3)

That the hours of operation for the Syndicate Nightclub be permanently restricted to a 2.45 a.m. closing.

2. Lanna Lusignea – Taxi Cab Driver Licence (Item 5)

That the Taxi Cab Driver Licence application of Lanna Lusignea be granted subject to Ms. Lusignea submitting an updated driving abstract to the Issuer of Licences on February 9, 2001.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes – March 29, 2000 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on March 29, 2000 be adopted.

(c) Syndicate Nightclub (PDC00049(B)) (Item 3)

The Committee was in receipt of a three monthly staff report, which it had requested at its meeting of January 13, with regard to the above noted premises. Verbal reports were also received from Ald. Andrea Horwath and representatives of Hamilton Wentworth Regional Police, and it was noted that a noise complaint had been received on April 17.

The Committee was in receipt of a letter from Mr. Roger Yachetti, lawyer on behalf of the licence holder, requesting that the 2.45 a.m. closing time imposed by the Committee be lifted. Mr. Dave Varghese, an employee of the Syndicate, attended and read a written statement on behalf of his employer in support of the request.

The Committee noted that the licensee will not be pursuing a zoning change which would permit a public hall use and instead wishes to continue operating under the existing restaurant licence which restricts the area of dance floor to 5% (or 300 sq.ft. of the total restaurant area).

After consideration the Committee stated that, although it was encouraged that the applicant had taken steps to comply with the by-law, it supported the staff recommendation that the Syndicate Nightclub be permanently restricted to a 2:45 a.m. closing. This permanent restriction will become a condition of the licence and be added to those conditions already imposed at the Licensing Committee of January 13 and adopted by City Council on January 25, 2000.

(d) Request for Reinstatement on Taxi Priority List – Joe Kunina (Item 4)

This matter was tabled at the request of the applicant who was unable to be in attendance

(e) **Show Cause Hearing – Taxi Driver Licence – Lanna Lusignea** (Item 5)

The Licensing Committee met in camera to hold a Show Cause Hearing with regard to the above noted licence.

Confidential background material pertaining to this matter was circulated to Members of Council under separate cover.

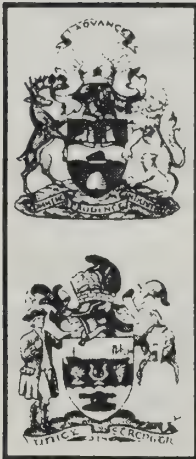
(f) **Other Business** (Item 6)

None

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 6:45 p.m.

**Alderman Fred Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant,
April 26, 2000**



MINUTES

CITY OF HAMILTON SPECIAL MEETING OF CITY COUNCIL

Tuesday, May 16, 2000

8:47 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman T. Jackson - personal business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the resolutions respecting the demolition of 15 Division Street and 74 Harrison Street; the Fireworks Display at Churchill Park; the Presbyterian Annual General Meeting funding; the Grants Committee Report 03-00; and Bill C-022: Confirming By-law, be now considered in Committee of the Whole with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

RECONSIDERATION OF A PREVIOUS RESOLUTION**Reconsideration of Section 13 and 14 from Report 09-00 of the Planning and Development Committee adopted May 9, 2000**

It was moved by Alderman Wilson and seconded by Alderman Copps that Sections 13 and 14 of Report 09-00 of the Planning and Development Committee adopted by City Council at its meeting of May 9, 2000 regarding Demolition of 15 Division Street and Demolition of 74 Harrison Street respectively, be hereby **reconsidered**:

13. Demolition, 15 Division Street (PDC00060) (Item 5.2.1)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 15 Division Street in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 15 Division Street where the applicant has applied for and received the required site plan control approval from the Community Planning and Development Division and the site plan agreement has been registered on title.

14. Demolition, 74 Harrison Street (PDC00061) (Item 5.2.2)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 74 Harrison Street in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 74 Harrison Street where the applicant has applied for and received the required site plan control approval from the Community Planning and Development Division and the site plan agreement has been registered on title.

* * * * *

RESOLUTIONS

15 Division Street, 74 Harrison Street, Churchill Park Fireworks Display
Funding For Presbyterian Church of Canada's Annual Meeting
Grants Committee Report 03-00; Confirming By-law

Motion Re: Demolition Permits – 15 Division Street and 74 Harrison Street

It was moved by Alderman Wilson and seconded by Alderman Copps:

- (a) That Section 13 of Report 09-00 of the Planning and Development Committee adopted by City Council at its meeting of May 9, 2000 regarding Demolition of 15 Division Street, be hereby rescinded; and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for 15 Division Street in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended. **CARRIED.**

It was moved by Alderman Wilson, seconded by Alderman Copps:

- (a) That Section 14 of Report 09-00 of the Planning and Development Committee adopted by City Council at its meeting of May 9, 2000 regarding Demolition of 74 Harrison Street, be hereby rescinded; and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for 74 Harrison Street in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended. **CARRIED.**

Rule No. 9 Re: Fireworks display at Churchill Park on May 21, 2000

It was moved by Alderman Morelli and seconded by Alderman Kiss that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the holding of a Fireworks display at Churchill Park on May 21, 2000. **CARRIED.**

Fireworks Display at Churchill Park on May 21, 2000

It was moved by Alderman Morelli and seconded by Alderman Kiss:

That approval, as required by Sections 17 (01) and 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be

given to the Churchill Park Neighbourhood Association, to hold a Fireworks Display at Churchill Park on Sunday, May 21, 2000 at dusk. **CARRIED.**

Rule No. 9 Re: Funding for the Presbyterian Church of Canada's Annual General Meeting being held in Hamilton and hosted by Central Presbyterian Church.

It was moved by Alderman Wilson and seconded by Alderman Kelly that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting funding for the Presbyterian Church of Canada's Annual General Meeting being held in Hamilton in June 2000 and hosted by Central Presbyterian Church. **CARRIED.**

Re: Funding for the Presbyterian Church of Canada's Annual General Meeting being held in Hamilton and hosted by Central Presbyterian Church.

It was moved by Alderman Wilson and seconded by Alderman Kelly:

- (a) That an amount of \$5,000 be approved for Central Presbyterian Church to assist them in hosting the Presbyterian Church of Canada Annual General Meeting being held in Hamilton in June 2000; and,
- (b) That notwithstanding the fact that the subject event is not a Conference with municipal subject content, that one time funding of \$5,000 be allocated from the Hosting of Conferences with Municipal Subject Content Reserve (COHAM 104030 - 58525 RSGENG). **CARRIED.**

Rule No. 9 Re: Grants Committee Report 03-00

It was moved by Alderman Caplan and seconded by Alderman Wilson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of Grants Committee Report 03-00. **CARRIED.**

GRANTS COMMITTEE – REPORT 03-00

Bill C-022: A By-law to Confirming the Proceedings of the Council.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bill be adopted, signed, sealed and enrolled as a By-law:

C-022: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Resolutions respecting the demolition of 15 Division Street and 74 Harrison Street; the Fireworks Display at Churchill Park; the Presbyterian Annual General Meeting funding; the Grants Committee Report 03-00; and Bill C-022: Confirming By-law, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

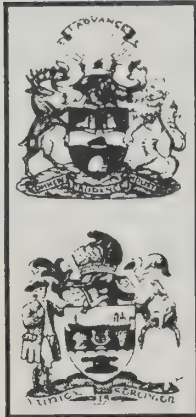
NAYS: -0. **CARRIED.**

Hamilton City Council then adjourned at 8:50 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson, Acting Municipal Clerk
May 16, 2000
KCC/dg**



REPORT

CITY OF HAMILTON Grants Committee

Tuesday, May 16, 2000
10:00 a.m.
Room 233, Hamilton City Hall

Present:	Alderman M. Caplan (Chairman) Aldermen D. Wilson, B. Charters
Absent:	Mayor R. M. Morrow – City Business Alderman T. Jackson – Personal Business
Also Present:	J. Underwood, N. Catalano, C. Bian, L. Mooradian, C. Biggs

Alderman M. Caplan, Chairman, called the meeting to order.

THE GRANTS COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. 1999 Advanced Funding Program (Item 3)

- (a) That the Ontario Lottery Corporation be requested to review the status of the \$10,000 advanced funding request from the Canadian Football Hall of Fame, as approved by City Council on February 23, 1999;
- (b) That in the event the Ontario Lottery Corporation denies the \$10,000 request for the Canadian Football Hall of Fame, that the funds be re-allocated as follows:
 - (i) Settlement and Integration Services Organization \$5,000
 - (ii) Junior Achievement of Hamilton-Wentworth \$5,000

- (c) That the Ontario Lottery Corporation be advised of Council's decision, and be requested to provide an update as to the outcome of their decision-making process.

THE FOLLOWING ITEMS NOT REQUIRING COUNCIL APPROVAL WERE NOTED AND/OR RECEIVED:

- (a) **Declarations of Interest** (Item 1)

None declared.

- (b) **Adoption of Minutes – April 6, 2000** (Item 2)

That the Minutes of the meeting of the Grants Committee held on April 6, 2000, be adopted.

- (c) **Grant Request – National Academy Orchestra (Boris Brott)** (New Business)

The Committee received a request for funding for the National Academy Orchestra (Boris Brott), brought forward by Alderman B. Charters on behalf of Regional Chairman T. Cooke.

Note: The meeting of the Grants Committee adjourned at 10:30 a.m.

**Alderman M. Caplan, Chairman
Grants Committee**

**Carolyn Biggs, Legislative Assistant
May 16, 2000**

URBAN
MUNICIPAL



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, May 30, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

JUN 09 2000

GOVERNMENT DOCUMENTS

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman B. Charters – Civic Business

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Ralph Mills, Bethel Gospel Tabernacle, led Council in prayer.

PRESENTATIONS

Reverend Ralph Mills presented Mayor R. M. Morrow with a plaque from the Mayor of Compalla, Uganda.

Mayor R. M. Morrow acknowledged the month of June as ALS Awareness Month. In attendance to speak about ALS was Elizabeth Grandbois and Bruce Wilson.

Mayor R. M. Morrow presented Civic Awards to the Blessed Sacrament Atom Boys #3 for winning the Provincial "A" Championships in basketball.

Mayor R. M. Morrow presented Civic Awards to the Blessed Sacrament Atom Girls for winning the Provincial Championships in basketball.

Mayor R. M. Morrow presented Civic Awards to the Blessed Sacrament Yellow Jackets Atom Boys Division One in basketball.

ADOPTION OF MINUTES

The Minutes of the regular meeting held May 9, 2000 and the special meeting held May 16, 2000 were adopted as circulated.

CORRESPONDENCE

1. Letter dated May 20, 2000 from Diane Dent, PhD., Chairman, Local Architectural Conservation Advisory Committee Re: 74 Hughson Street South, Request for Proposal/Declaration and Sale of Surplus Property Reasons for Designation.

Referred to the Planning and Development Committee.

2. Application dated May 10, 2000 from Ashok and Virala Kumar, 81 Christie Street, Hamilton for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for property at 81 Christie Street, Hamilton, Ontario)

Received.

3. Application dated May 12, 2000 from Valvasori Properties (in trust), 15 Old Oakes Place, Ancaster for a change in zoning from "DE"- H" (Low Density Multiple Dwellings) District to "DE" (Low Density Multiple Dwellings) District Modified for property at 30, 32, 36 and 40 Margaret Street; and, for a change in zoning from "D" (Urban Protected Residential – One and Two Family, Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings etc.) District modified.

Received.

4. Application dated May 12, 2000 from John M. and Barbara E. Crockett for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for property at 1472 Upper Gage Avenue, Hamilton, Ontario.

Received.

5. Application dated May 15, 2000 from Chedoke Health Corp. c/o Lazier Hickey Langs, O'Neil for a further modification to the "AA" (Agricultural) District for property at the southeast corner of Sanatorium Road and Scenic Drive, Hamilton, Ontario.

Received.

6. Application dated May 24, 2000 from George Russell, 756 King Street East, unit 1, Hamilton, Ontario for an Official Plan Amendment and a change in zoning from "K" (Heavy Industry) District to "RT-20" (Townhouse – Maisonette) District for lands located on the south side of Stuart Street between Tiffany Street and Bay Street North, Hamilton, Ontario.

Received.

7. Application dated May 26, 2000 from Dicenzo and Associates, Lawyers respecting Zoning Application ZAC-00-13 for 1489-1523 Upper James Street, Hamilton

Received.

8. Petition respecting the change in zoning for 801-803 King Street West and 80-90 Carling Street. This item is also referred to in Section 1 of Report 11-00 of the Planning and Development Committee.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Nominating Committee be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 10-00

Rule No. 9 Re: Temporary Road Closure – Robbinex Corp. – Stuart Street

It was moved by Alderman Wilson and seconded by Alderman Collins that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of an item respecting Temporary Road Closure, Robbinex Corp. - Stuart Street, Hamilton.

CARRIED.

Section 5 Re: Temporary Road Closure – Robbinex Corp. – Stuart Street

It was moved by Alderman Wilson and seconded by Alderman Collins that the following be added as Section 5 to the Transport and Environment Committee Report 10-00:

5. Temporary Road Closure: Robbinex Corp. - Stuart Street. Hamilton

That the application by The Robbinex Corporation to temporarily close Stuart Street from Bay Street to MacNab Street on Wednesday, June 14, 2000 between 08:00 a.m. and 11:00 p.m., to hold their corporate 25th anniversary, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police, or his designate, be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police, or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the Alcohol and Gaming Commission of Ontario (ACGO) be advised that the City of Hamilton is aware of the application by The Robbinex Corporation located at 41 Stuart Street, to serve alcohol on

the road allowance of Stuart Street from 04:00 pm to 07:00 pm on June 14, 2000 and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 11-00
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Section 1 Re: Zoning Change – 801/803 and 80, 86 and 90 Carling Street

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. – 13.

NAYS: Aldermen Kiss, Copps.. –2.

CARRIED.

* * * * *

Section 3 Re: Request for a Change in Zoning – 1489-1523 Upper James Street.

It was moved by Alderman D'Amico and seconded by Alderman Kelly that Section 3 of Report 11-00 of the Planning and Development Committee be amended by:

- (a) adding after the word "maintained" in Sub-section (a) (iii) as follows: "except for business identification ground signs which shall be setback a minimum of 6.0m."; and,
- (b) by deleting sub-section (f) in its entirety and replacing it with the following:
 - (f) "That if an objection is received to the implementing by-law, the applicant shall withdraw the appeal of the Committee of Adjustment decision on Committee of Adjustment Application A-00:36 to the Ontario Municipal Board within five (5) days of receipt of the appeal. Also, that within five (5) days of the implementing By-law becoming of full force and effect, the applicant shall withdraw their appeal."

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps. –1.

CARRIED.

Recorded vote on section as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps. –1.

CARRIED.

Section 10 Re: Public/Private Agreement for the Auchmar\Buchanan Estate – 88 Fennell Avenue West

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. – 14.

NAYS: Alderman Copps. –1.

CARRIED.

NOMINATING COMMITTEE - REPORT 03-00

RESOLUTION

Tax Billing and
Operating Grant for Lakeland Pool

Rule No. 9 Re: Tax Billing

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No.9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow for the consideration of a motion respecting tax billing.

CARRIED.

Re: Tax Billing

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following motion be approved:

- (a) That the third instalment due date for 2000 taxation in the City of Hamilton due on June 30, 2000 be delayed until July 31, 2000; and,

- (b) That the Corporate Counsel be directed to prepare the 2000 taxation by-law for Council approval and include the due date amendment at that time.

CARRIED.

Rule No. 9 Re: Operating Grant for Lakeland Pool

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting an operating grant for Lakeland Pool.

CARRIED.

Re: Operating Grant for Lakeland Pool

It was moved by Alderman Collins and seconded by Alderman Eisenberger:

- (a) That City Council provide an operating grant in the amount of \$20,000 to the operators of Lakeland Pool for the year 2000; and,
- (b) That funds be derived from the Reserve for Contingency Account COHAM 104015
- (c) That this matter be forwarded to the Transition Board for approval.

*****.

Re: Operating Grant for Lakeland Pool

It was moved by Alderman O'Sullivan and seconded by Alderman Anderson that the following motion respecting an Operating Grant for Lakeland Pool be referred to the Finance and Administration Committee meeting being held on June 6, 2000:

- (a) That City Council provide an operating grant in the amount of \$20,000 to the operators of Lakeland Pool; and,
- (b) That funds be derived from the Reserve for Contingency Account, COHAM 104015; and,
- (c) That this matter be referred to the Transition Board for approval.

CARRIED.

NOTICE OF MOTION FOR NEXT MEETING

Alderman Collins gave notice that he would move at the next regular meeting of City Council, the following motion respecting free downtown parking:

- a) That free on-street parking in the Downtown Core (500 metered parking spaces in the area bounded by Bay, York/Wilson, Wellington and Jackson) be offered for the months of July and August, 2000, and that the financing required to cover the lost revenues be found within the projected 2000 surplus in the Parking Services Section (381,850); and,
- b) That on-street parking in the downtown core be limited to 2 hours from 8:00 a.m. to 6:00 p.m., Monday to Saturday; and,
- c) That should a portion of the required funding not be available through the sources indicated in Sub-Section (a), the Finance and Administration Committee be requested to recommend the method of financing; and,
- d) That the City Traffic By-law No. 89-072 be amended accordingly; and,
- e) That Regional Council be requested to amend the Regional Traffic By-law R89-038; and,
- f) That staff report back, after consultation with various stakeholders such as the International Village and Downtown B.I.A.'s, with the results of the program; and
- g) That the Transition Board be requested to deal with the matter no later than July 1st, 2000.

ACTING MAYOR FOR THE MONTH OF JUNE 2000

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman F. D'Amico be appointed Acting Mayor for the month of June, 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:40 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson, Acting Municipal Clerk
May 30, 2000**

KCC/dg



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Tuesday, May 30, 2000

11:00 a.m.

Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice Chairperson) Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, F. D'Amico
Regrets:	Alderman T. Jackson – Personal Business Alderman T. Anderson – Other Business
Also Present:	Aldermen R. Corsini, G. Copps C. Guthro, M. Hazell, T. Gill, B. Price, C. Biggs
Alderman C. Collins, Chairperson, called the meeting to order.	

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 10-00 AND RESPECTFULLY RECOMMENDS:

1. Special Event Parking in the Vicinity of Bayfront Park (PWT00105) (Item 2)

That the following parking plan be adopted for local residential streets during major special events at Bayfront Park:

- (a) That the boundaries for the "Special Event Parking Plan" be defined as shown on Appendix "A" attached hereto; and
- (b) That "permit parking" restrictions be in effect where parking is allowed on local residential streets within the defined boundaries during major special events at Bayfront Park through the erection of permanent "flip down" signs;

- (c) That the "Special Event Parking Plan" be used for major special events at Bayfront Park, as authorized by the Mayor, Chairman of the Transport and Environment Committee, the two Ward Aldermen and the Chief of Police; and
- (d) That "special event parking permits" be issued to area residents and visitors in accordance with the following criteria:
- any resident displaying a valid time limit exemption or reserved parking permit for permanently signed streets will not be required to obtain a "special event parking permit"; and
 - "special event parking permits" may be obtained, at no charge, at the Community Traffic and Parking Services Division at City Hall, at the Parks Development Division at 125 Barton Street West, or at the Parking Services office on Summers Lane and permits will be issued only to vehicles registered to persons residing in this defined area; and
 - additional permits for visitors may be obtained by completing an application form at any of the locations where permits are issued. A maximum of two visitor permits will be issued per household, and applicants will be required to provide the visitors' license plate numbers, make of the vehicles and the address of the property they will be visiting; and
 - "special event parking permits" will not be issued to businesses and/or their employees, except under unique circumstances. Concerns about parking by area businesses will be addressed on an individual basis by Community Traffic and Parking Services, in consultation with the Ward Aldermen. In all cases, every effort will be made to find alternate parking arrangements; and
 - all "special event parking permits" issued to local residents will be on an annual basis. Staff will develop a data base in order to facilitate the issuance of permits in future years; and
 - commercial vehicles and heavy vehicles will not be eligible for permits as parking is prohibited by these classes of vehicles on local residential streets under general provisions of the City and Regional Traffic By-laws (Note: deliveries will not be affected).
- (e) That permanent "flip down" signs be placed at each entrance to the defined area. The manufacturing and erecting of which are to be paid for by the event organizers; and

- (f) That all special event parking signs be displayed at least 12 hours prior to the scheduled start of a major special event at Bayfront Park in order to allow motorists to either obtain a permit (if they have not already done so) or to make alternate parking arrangements; and
- (g) That Parking Control Officers be assigned to patrol the area during major special events at Bayfront Park in order to provide strict enforcement and public relations to motorists as required; and
- (h) That staff, in consultation with both of the Ward Aldermen, regularly communicate and, if necessary, report back with recommendations for "fine tuning" the "Special Event Parking Plan" for future years; and
- (i) That the City Traffic By-law 89-72 be amended accordingly.

2. Stop Control at Skylark Drive and Hummingbird Lane – Traffic By-law 89-72 (PWT00111) (Item 3)

- (a) That the Northbound and Southbound Stop Control regulation on Skylark Drive at Jay Street be repealed; and,
- (b) That a Westbound and Eastbound Stop Control regulation be implemented on Skylark Drive at Hummingbird Lane; and,
- (c) That an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted.

3. Stop Control at Ferguson Avenue and Young Street – Traffic By-law 89-72 (New Business)

- (a) That an all-way stop control regulation be implemented at the intersection of Ferguson Avenue and Young Street;
- (b) That an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted.

4. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-029 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (b) A-030 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.

- (c) A-031 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (d) A-032 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.

5. Temporary Road Closure: Robbinex Corp. - Stuart Street. Hamilton

That the application by The Robbinex Corporation to temporarily close Stuart Street from Bay Street to MacNab Street on Wednesday, June 14, 2000 between 08:00 a.m. and 11:00 p.m., to hold their corporate 25th anniversary, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police, or his designate, be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police, or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the Alcohol and Gaming Commission of Ontario (ACGO) be advised that the City of Hamilton is aware of the application by The

Robbinex Corporation located at 41 Stuart Street, to serve alcohol on the road allowance of Stuart Street from 04:00 pm to 07:00 pm on June 14, 2000 and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

ADDED.

THE FOLLOWING ITEMS NOT REQUIRING COUNCIL APPROVAL WERE NOTED AND/OR RECEIVED:

(a) Declarations of Interest (Item 1)

None declared.

(b) Sidewalk Encroachments – Locke Street South (New Business)

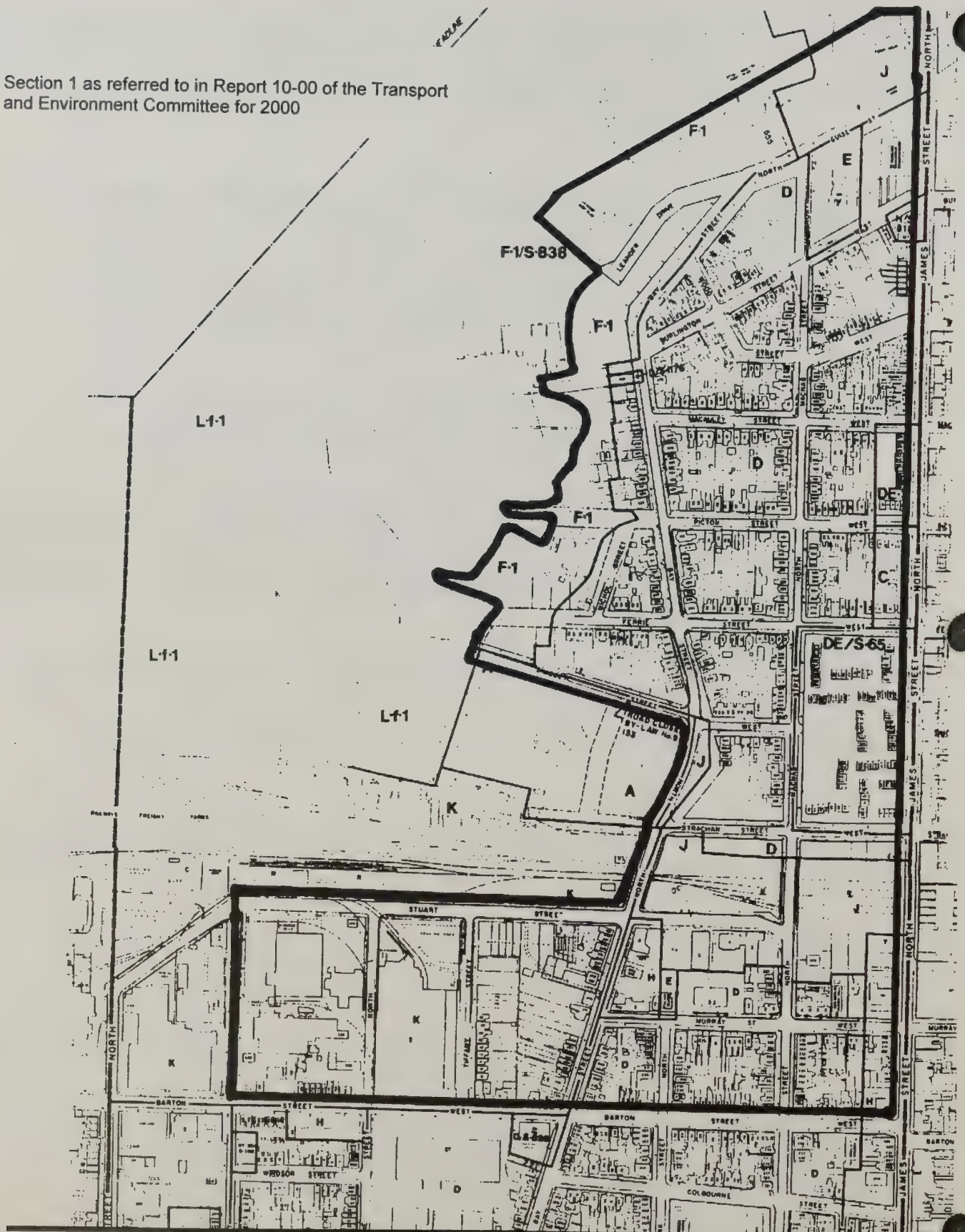
Staff made the Committee aware of complaints respecting the use of sidewalk on Locke Street South. Staff was directed not to enforce any encroachments on Locke Street South, except on a safety basis, until such time as a report is presented to the Committee regarding the matter of encroachment/outdoor patio fees.

Note: The meeting of the Transport and Environment Committee adjourned at 11:35 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
May 30, 2000**

Section 1 as referred to in Report 10-00 of the Transport and Environment Committee for 2000





REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday May 24, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman M. Kiss, Alderman A. Horwath, Alderman D. Wilson, Alderman T. Jackson, Alderman D. O'Sullivan, L. Coveyduck, P. Mallard, B. Janssen, G. Paparella, J. Lakatos, J. Spolnik, E. Switinky, N. Smith, H. Vastis, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 11-00 AND RESPECTFULLY RECOMMENDS:

1. **Request for a Change in Zoning for Nos. 801 & 803 King Street West and 80, 86 and 90 Carling Street (ZAC-00-07)(PDC00091) (Item 2.2)**

That approval be given to Zoning Application ZAC-00-07, Citadel Properties Limited, prospective owner, for a change in zoning from "H" (Community Shopping and Commercial, etc.) District, modified, to "E" – 'H' (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, modified, to permit a nine storey, 40 unit, condominium apartment building, for lands located at Nos. 801 & 803 King Street West and 80, 86 & 90 Carling Street, as shown on the attached Map marked as APPENDIX "A", on the following basis:

- (a) That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the lands until such time as:
- (i) The owner submits a signed Record of Site Condition (RSC) to the Region and the Ministry of the Environment (MOE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE; and,
 - (ii) The owner submits a traffic noise assessment study, prepared by a qualified consultant, investigating noise levels impacting the proposed development and recommending noise control measures (if applicable), to the satisfaction of the Region.

City Council may remove the 'H' symbol, and thereby give effect to the rezoning and modified provisions as stipulated in the By-law, by enactment of an amending By-law once the conditions are fulfilled.

- (b) That the subject lands be rezoned from "H" (Community Shopping and Commercial, etc.) District to "E" – 'H' (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District.
- (c) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11. of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
- (i) Notwithstanding Section 11.(2)(ii), no building or structure shall exceed a height of 9 storeys or 28.5 m.
 - (ii) Notwithstanding Section 11.(3)(i)(b) a front yard of a depth of at least 6.0 m shall be provided and maintained from the Carling Street front lot line.
 - (iii) Notwithstanding Section 11.(3)(ii)(b) a westerly side yard of a width of at least 3.9 m shall be provided and maintained and an easterly side yard width of at least 2.1 m shall be provided and maintained.
 - (iv) Notwithstanding Section 11.(5) a multiple dwelling shall have a maximum gross floor area of 5,443.94 m² and a maximum of 40 class A dwelling units.
 - (v) Section 18.(3)(ii) shall not apply to the subject lands.

- (vi) Notwithstanding Section 18.(3)(vi)(cc), balconies may encroach a maximum of 1.2 m into a required front yard.
- (vii) Notwithstanding Section 18A.(1)(c), one loading space having minimum dimensions of 9.0m long x 3.7m wide x 4.3m high shall be provided and maintained for a multiple dwelling.
- (viii) Notwithstanding Section 18A.(14g), a parking area may be provided within a required front yard provided it is setback a minimum distance of 3.0 m from the King Street West front lot line and a minimum distance of 6.0 m from the Carling Street front lot line.
- (ix) A minimum 1.5 m wide planting strip shall be provided and maintained along the entire westerly and easterly side lot lines.
- (x) A visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly side lot line, provided that a visual barrier shall be setback a minimum of 3.0 m and a maximum of 5.0 m from the King Street West and Carling Street road allowance limits.
- (xi) A visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire easterly side lot line, except that:
 - 1. A visual barrier shall be setback a minimum of 3.0 m and a maximum of 5.0 m from the King Street West and Carling Street road allowance limits.
 - 2. No visual barrier shall be required for that portion of the easterly side lot line where an access driveway to an underground parking area is adjacent to a multiple dwelling to the east.
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1446, and that the subject lands on Zoning District Map W23 be notated S-1446.
- (e) That Corporate Counsel be authorized and directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W23 for presentation to City Council.
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

2. Request for a Change in Zoning for 12-14 Brantdale Avenue (ZAC-00-09) (PDC00086) (item 2.3)

That approval be given to Zoning Application ZAC-00-09, Locane Holding Inc. owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential – One & Two Family Dwellings, etc.) District, modified to permit the development of a semi-detached dwelling, for property located at 12-14 Brantdale Avenue, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential – One & Two Family Dwellings, etc.) District;
- (b) That the "D" (Urban Protected Residential – One & Two Family Dwellings, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, be amended only to the extent of the following special requirement;
 - (i) notwithstanding Section 10(4)(ii), a minimum lot width of 15.2 m shall be provided and maintained;
- (c) That the amending By-law be added to Section 19 of Zoning By-law No. 6593, as Section S-1447, and that the subject lands on Zoning District Map W-7 be notated S-1447;
- (d) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-7 for presentation to Council; and,
- (e) The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. Request for a Change in Zoning- 1489-1523 Upper James St. (ZAC-00-13)(PDC00093) (Item 2.4)

That approval be given to amended Zoning Application ZAC-00-13, Sterling Honda (c/o J. LaCluse), owner, for a further modification to the established "G"

(Neighbourhood Shopping Centre, etc.) District for lands located east of Upper James Street, south of Regina Drive and known municipally as 1489 – 1523 Upper James Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as set out under Section 13 of Zoning By-law No. 6593, as amended by By-law Nos. 88-135 and 90-145, applicable to the subject lands, be further modified to include the following variances as special provisions:
 - (i) That notwithstanding subsection 13(1) of Zoning By-law No. 6593, the following uses shall also be permitted:
 - (1) Automobile sales and leasing establishments;
 - (2) An automobile body/fender repair shop and paint shop provided that it is accessory to and located within the same building as an Automobile sales and leasing establishment;
 - (3) A private manual/mechanical carwash provided that it is accessory to and located within the same building as an automobile sales and leasing establishment;
 - (4) A business identification sign that is a ground sign, subject to the following requirements:
 - (a) Not more than one sign shall be permitted for each Automobile sales and leasing establishment;
 - (b) A height of at least 3.0 m shall be provided from the ground to the bottom of the sign;
 - (c) The supporting structure shall be designed and constructed so as not to obstruct the view from any direction to a greater degree than is reasonably necessary;
 - (d) No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;
 - (5) A business identification sign permanently affixed to the decorative wall structure subject to the following requirements:
 - (a) The sign shall not be more than 50% of the height of the structure.

- (b) The total aggregate area of the sign shall not exceed 25% of the aggregate area of the structure parallel to the daylight triangle.
 - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (ii) That notwithstanding subsection 13(3) of Zoning By-law No. 6593, a decorative wall structure shall be provided and maintained at the north-west corner of the property on the following basis:
 - (1) Said structure shall be parallel to the full length of the daylight triangle and extend a minimum of 15.0 m from each end thereof along the northerly and westerly lot lines;
 - (2) Said structure shall be located within the landscaped planting strip;
 - (3) The height of said structure parallel to the daylight triangle shall be not less than 1.2 m and not more than 2.0 m;
 - (4) The height of said structure appurtenant to the northerly and westerly lot lines shall be not less than 1.0 m, except for the last 5.0 m which shall be not less than 0.6 m; and,
- (iii) That notwithstanding section 13.(3)(i) of Zoning By-law No. 6593, a minimum front yard setback of 24.0 m shall be provided and maintained except for business identification ground signs which shall be setback a minimum of 6.0m"; and **ADDED.**
- (iv) That the total aggregate area for signage referred to in Subsections (i)(4) and (i)(5) shall not be more than 0.1 m² per 0.3 m of street frontage on Upper James Street;
- (v) That a minimum 3.0 m wide landscaped strip shall be provided and maintained along the northerly and westerly lot lines, except:
 - (a) For any area used for vehicular access; and,
 - (b) That a minimum 6.0 m wide landscaped strip shall be provided and maintained adjacent to the daylight corner.
- (b) That the Corporate Counsel be directed and authorized to prepare a By-law for the subject lands to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S – 1069b, and that the subject lands on Zoning District Maps E-9D be notated as S – 1069b;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That the approved site plan for the subject lands be required to incorporate the applicable provisions of the “Urban Design Guidelines for Upper James Street Corridor”; and,
- (f) That if an objection is received to the implementing by-law, the applicant shall withdraw the appeal of the Committee of Adjustment decision on Committee of Adjustment Application A-00:36 to the Ontario Municipal Board within five (5) days of receipt of the appeal. Also, that within five (5) days of the implementing By-law becoming of full force and effect, the applicant shall withdraw their appeal. **DELETED & REPLACED.**

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps. –1.

CARRIED.

Recorded vote on section as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps. –1.

CARRIED.

4. Request for Removal of the Holding Zone for Lands Located at 649 Upper James Street (ZAR-00-12)(PDC00087) (Item 2.1)

- (a) That approval be given to Zoning Application ZAR-00-12, 1136193 Ontario Inc., (Hussein Ghaddar), owner, requesting removal of the 'H' – Holding provision under Section 36(1) of the Planning Act, R.S.O., to allow for the development of the subject lands for a convenience food store, for property located at 649 Upper James Street, as shown on the attached map marked as APPENDIX “D”; and,
- (b) That the Director, Land Development Department, be authorized and directed to prepare a By-law, in a form satisfactory to the Corporate

Counsel, to amend Zoning By-law No. 6593, as amended by By-law No. 98-263, and Zoning District Map E-7, for presentation to City Council.

5. Demolition of 277 Barton Street West – (PDC00084) (Item 4.1)

That the Acting Director of Building be authorized to issue a demolition permit for 277 Barton Street West in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

6. Demolition of 279 Barton Street West – (PDC00085) (Item 4.2)

That the Acting Director of Building be authorized to issue a demolition permit for 279 Barton Street West in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

7. Request for Validation Certificate for Lots 1-4, 10-16, 23-28, 34-42, 59, 61, 66 and 68, inclusive, Reg. Plan 62M-872, "Effort Gardens, Phase 1" (PDC00096) (Item 4.3)

- (a) That approval be given to the request for a Validation Certificate pursuant to Section 57 of the Planning Act for Lots 1-4, 10-16, 23-28, 34-42, 59, 61, 62, 66 and 68, inclusive, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "E"; and,
- (b) That the Corporate Counsel be directed and authorized to prepare a by-law to legalize the creation of maintenance easements for Lots 1-4, 10-16, 23-28, 34-42, 59, 61, 62, 66 and 68, inclusive, Registered Plan 62M-872 "Effort Gardens, Phase 1".

8. Commercial Property Improvement Loan Program, 544 Concession Street (HSB00008) (Item 4.5)

That a Commercial Property Improvement Loan in the amount of thirteen thousand, five hundred and seventy-one dollars (\$13,571) to Joseph and Gabrielle Marion for improvements to 544 Concession Street be approved subject to the fulfillment of the borrowing requirements of the Commercial Property Improvement Loan Program.

9. Downtown Hamilton BIA, Appointment to the Board of Management (PWT00098) (Item 4.6)

- (a) That the following individuals be appointed to the Downtown Hamilton B.I.A.'s Board of Management:

Eddy Foo 150 King Street East, Ramada Plaza Hamilton
Charlotte Fournier 77 King William Street, The Border Bar and Grill

- (b) That the following individual be removed from the Downtown Hamilton B.I.A.'s Board of Management:

Reg Titian 27 John Street North, Reggies' Music and Sound

10. Proposed Public/Private Agreement for the Auchmar\Buchanan Estate 88 Fennell Avenue West (PDC99098B)

- (a) That staff be authorized and directed to enter into negotiations, based on the Principles as set out in Appendix "F", on a without prejudice basis, with 1333786 Ontario Limited, for the purposes of entering into a Public/Private Agreement for the entire Auchmar property, on or before July 7, 2000, failing which, the City will proceed to complete the Agreement of Purchase and Sale dated June 18, 1999 and the Agreement Amending The Agreement of Purchase and Sale dated September 13, 1999, which agreements calling for a closing date of no later than July 30, 2000;
- (b) That the Public/Private Agreement be brought back to Committee and Council for approval;
- (c) That staff be authorized and directed, in accordance with the City's Real Property Sales Procedural By-Law No. 95-049, to commence immediately the internal circularization of the Auchmar property and cause a report to be brought back to Council with respect to having the property declared surplus to the requirements of the City;
- (d) That the General Manager, Community Planning & Development, be directed to conduct public information sessions.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. – 14.

NAYS: Alderman Copps. –1.

CARRIED.

11. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-023 A By-law to Amend Zoning By-law No. 6593 Respecting: Land Located at Municipal No. 130 Bay Street.
- (b) C-024 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located on the North Side of the Future Extension of Greywood Road, South of Glenview Place.
- (c) C-025 A By-law to amend Zoning By-law No. 6593 and to Repeal Zoning By-law No. 00-074 Respecting Lands Located West of James Street North and East of Bay Street North and South of the CN Railway Line.
- (d) C-026 A By-law to amend Zoning By-law No. 6593 As Amended by Zoning By-law No. 98-263 Respecting Lands Located at Municipal No. 649 Upper James Street.
- (e) C-027 A By-law to Repeal Site Plan Control By-law No. 98-206 Respecting Lands Located East of West 5th Street and North of Stone Church Road West.
- (f) C-028 A By-law to Establish Site Plan Control Respecting Lands Located East of West 5th Street and North of Stone Church Road West.
- (g) C-029 A By-law to Amend Zoning By-law No. 6593 Respecting Land at Municipal No. 90 Kinrade Avenue.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes – May 3, 2000 (Item 3.1)**
May 9, 2000 (Item 3.2)

The Minutes of the meeting held May 3, 2000 were adopted.

The Minutes of the meeting held May 9, 2000 were adopted.

- (c) **Request for a Change in Zoning for Nos. 801 & 803 King Street West and 80, 86 and 90 Carling Street (ZAC-00-07)(PDC00091) (Item 2.1)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

The following submissions were received:

- (i) Mr. R. Mason, 10 Paradise Rd. North
- (ii) Dean Robinson, 804 & 816 King Street West
- (iii) Mr & Mrs. Wood, 31 Paradise Road South
- (iv) Arthur Weiss

Paul Mallard gave a brief overview of the report and advised that of 102 notices circulated, 3 replied in favour and 21 opposed.

Arthur Weiss was present in support of his application. He stated that the building will be a condominium and the units will cost between \$150,000 and \$175,000. These units are geared to residents in the Westdale area who can no longer maintain single-family homes but wish to remain in the area. This property has been vacant for many years and this will be an improvement.

The following people were present and made oral submission in opposition to the development:

- Taylor Anderson, owner of 797 King Street West
- Elizabeth Maher, owner of 89 Carling Street
- Francis Hinchliffe, owner of 87 Carling Street
- Rose Kriderman, operating a business at 789 King Street West
- Brad Strain of 12 Paradise Road North
- Vic Swan of 802 King Street West
- Brian Walker of 27 Paradise Road South
- Dean Robinson, owner of 804 and 816 King Street West (who also submitted a petition of against the development)

Concerns raised by those present were as follows:

Lack of privacy, non-compatibility of the building to the surrounding area, decrease in property value, lack of airflow and sunlight, vandalism, noise and garbage pollution, traffic, lack of parking, student occupancy of units.

Alderman Caplan was in favour of the proposal stating that there needs to be in-filling and a balance of development as it contributes to the tax base. It is in keeping with the zoning standards.

Alderman Copps stated that new development should not have a negative impact on the existing neighbourhood. The taxes generated will be used to provide services to the tenants.

Alderman Kiss is opposed stating that the neighbourhood plan review should be completed prior to any new development occurring.

In response to a question from Alderman Corsini, Paul Mallard advised that other high rises in the area are 6 to 8 stories in height. The current by-law permits 8 stories or 26 metres in height. The proposal for condos is 26 metres in height.

In response to a question from Alderman Haining, Paul Mallard advised that tenancy and occupancy cannot be regulated.

A motion was introduced to table the matter and was lost.

Recorded Vote on the main motion:

Yeas: Aldermen Caplan, Corsini, Haining, Eisenberger, Charters, Kelly, D'Amico	-7
Nays: Alderman Copps	-1
	Carried

(d) Request for a Change in Zoning for 12-14 Brantdale Avenue (ZAC-00-09) (PDC00086)(Item 2.3)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the application. Of 119 notices circulated 7 replied in favour and 0 opposed.

The proponent, Sean Murray of 557 Fennell Avenue East was present in support of his application.

(e) **Request for a Change in Zoning- 1489-1523 Upper James St. (ZAC-00-13)(PDC00093) (Item 2.4)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

A submission was received from Robert. C. & Mary Lou Dickson, 1428 Upper James St.

Paul Mallard reviewed the report and advised that there are 3 main items that the applicant is not in agreement with. They want to provide 4.5 metre landscaping strip in the rear whereas the bylaw requires 9.1 metres, they would like 3 pylons erected 6 metres from the roadway, whereas the urban design guidelines require 24 metres, and they have an outstanding appeal with the Ontario Municipal Board on a Committee of Adjustment decision which they are not prepared to withdraw.

Mr. Manchia introduced Mr. Lecluse, owner of Sterling Honda. He thanked staff for expediting the application. He advised that he would like a minor amendment to the recommendation to indicate that the car wash is mechanical as well as manual. He stated that the pylons are consistent with those at Philthy McNasty's. He advised that the establishment next door only has a 3 metre landscape buffer in the rear of the property. Respecting the landscaping Mr. Manchia stated that the 4.5 metre strip will include a berm. He requested that the Clerk not sign the by-law until the appeal is withdrawn from the OMB.

Walter Morrissey of 106 Springside Drive representing the Knights of Columbus who own property adjacent to the lands in question was present. He stated that there is an outstanding court case with the previous owners of the property regarding the fact the land was originally to be used for a shopping mall.

Robert Morris of 1452 Upper James Street was present. He stated that the pylons at Philthy McNasty's are illegal and that the Building Department is taking steps to have them removed. The streetscape is becoming garish. If certain conditions are not agreed upon by the proponent, it will be impossible for public input at the site plan stage. If the recommendation is approved, he requested that the owners of the dealership be prohibited from having speaker or PA announcements.

Anthony DiCenzo was present to represent the owners to the East of the property. He disputed that a 4.5 metre landscape strip

would be an adequate buffer to a residential area. His client supports approval of the application subject to a 9.1 metre landscape strip being required along the rear of the property.

Nancy Smith advised that the Legal case involving the Knights of Columbus is a private lawsuit and should not have a bearing on the application before the Committee.

Following discussion the recommendation was approved as amended to include the fact that the car wash is mechanical, with direction that staff, the ward aldermen and the proponents meet to discuss possible compromises regarding the setback of the Pylons, and the size of the rear landscape strip.

* Alderman Copps was opposed to the main motion.

(f) **Request for Removal of the Holding Zone for Lands Located at 649 Upper James Street (ZAR-00-12)(PDC00087) (Item 2.1)**

The Chairman advised that this is not a Public Meeting under the Planning Act.

(g) **2000 Commemorative Plaque- Crystal Palace Grounds (PDC00100) (Item 4.4)**

The Chairman advised and the Committee concurred that that this item is to be withdrawn from the agenda as it has already received Council approval.

(h) **Information Items (Item 4.7)**

That the following Information Items as previously distributed to Members of the Planning and Development Committee b received:

- (i) Canadian Mortgage and Housing Corporation re: RRAP extension to June 30, 2000 dated May 11, 2000.
- (ii) General Manager, Community Planning and Development Division re: 195 Ferguson Avenue North-Implementation of the Wesley Ontario Municipal Board Decision (seventh report) PDC99088F dated May 17, 2000.

(i) **Site Plan Control Application DA-99-60 for Property at 30 Queenston Road and a Portion of the Adjacent Hydro Corridor (PDC00092) (Item 5)**

Joe Lakatos gave the Committee a brief presentation.

Bruce Hoppe, Planner for Tim Hortons, Jim Goth, traffic engineer and Anthony Diczko were present.

Mr. Hoppe stated that Tim Hortons is far exceeding the requirements that the City requires. They have entered into long term agreements with Ontario Hydro. Over 50% of the property will be landscaped.

Alderman Copps felt that is a dangerous location for traffic.

Alderman Wilson asked for additional trees and requested that right turns on Cochrane Road be prohibited. Noise after 11 p.m. is also a concern.

Alderman Caplan advised that the Tim Hortons at King and South Oval is not complying with the City By-laws.

Following discussion the Committee approved the site plan as amended as follows:

That approval be given to Site Plan Control Application DA-99-60 by TDL Group LTD., Lessee, of lands at 30 Queenston Road and a portion of the adjacent hydro corridor for a Tim Horton's Coffee Shop and a drive-thru, as shown on the attached map marked as Appendix "G", subject to the following:

- (a) modification to the plan in relation to notes, dimensions and landscaping as marked in red on the plan;
- (b) submission of a revised grading plan to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (c) provision of the appropriate landscape agreement with the City of Hamilton and the Region of Hamilton-Wentworth for landscaping in the Cochrane Road and Queenston Road road allowances; and,
- (d) inclusion of an acknowledgement clause, in the site plan agreement, stating that should the TDL Group Ltd. lose its legal

right to use Ontario Hydro lands, the drive-thru aspect of the development would cease to operate.

- (e) that the following additional red-lines be applied to the plans and drawings:
 - (i) additional landscaping to be provided within landscape area at the rear of the building and along the westerly side of the building within hydro corridor to mitigate potential noise from the drive-thru next to the residential district;
 - (ii) the drive-thru speakers to be low level speakers;
 - (iii) the access driveway to Cochrane Road to be redesigned to limit vehicles from turning right onto Cochrane and head south (i.e. direct Tim Hortons traffic to Queenston Road).

* Alderman Copps opposed to the main motion.

(f) **DELEGATION**
Demolition of 14 Belvidere Avenue (information report)
(PDC00103) (item 6)

Mr. Clair Sellens owner of 14 Belvidere Avenue was present to request that the condition to rebuild within 2 years of demolition be waived. He stated that he is unable to build within 2 years and that demolition is preferable over having the building there since it is a location to which the police and fire department are called on a regular basis. Once there is no building, the land will be easier to maintain.

Jim Leach of 10 Belvidere Avenue was present and is in favour of the demolition but only on the condition that the property be maintained. The property is littered, the snow is not removed and it is overgrown with vegetation.

Patty Duarte of 1 Belvidere Avenue concurred.

In response to a question from Ms. Duarte, the Chairperson advised that at present the property is zoned single-family but an application for rezoning can be brought forward to the City at any time.

Alderman Kelly was concerned with the condition of the property. He would like to know if snow removal was conducted by the Public Works Division and placed on taxes.

Alderman Eisenberger felt that if the demolition is permitted and the condition to rebuild is waived, rigorous property standards should be enforced.

Following discussion the Committee resolved that the matter be tabled and that staff be directed to meet with the residents and the owner in order to determine maintenance standards for the property should the building be demolished pursuant to the rebuilding being waived, and report back to Committee.

(g) **PRIVATE AND CONFIDENTIAL ITEM- Legal Matter (Item 7)**

Proposed Public/Private Agreement for the Buchanan Estate (PDC99098B)

The Committee resolved to adjourn into closed session and reconvened immediately thereafter with a report.

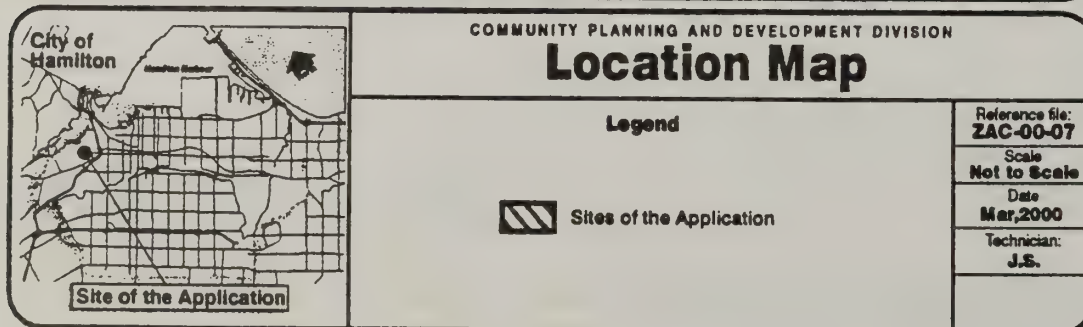
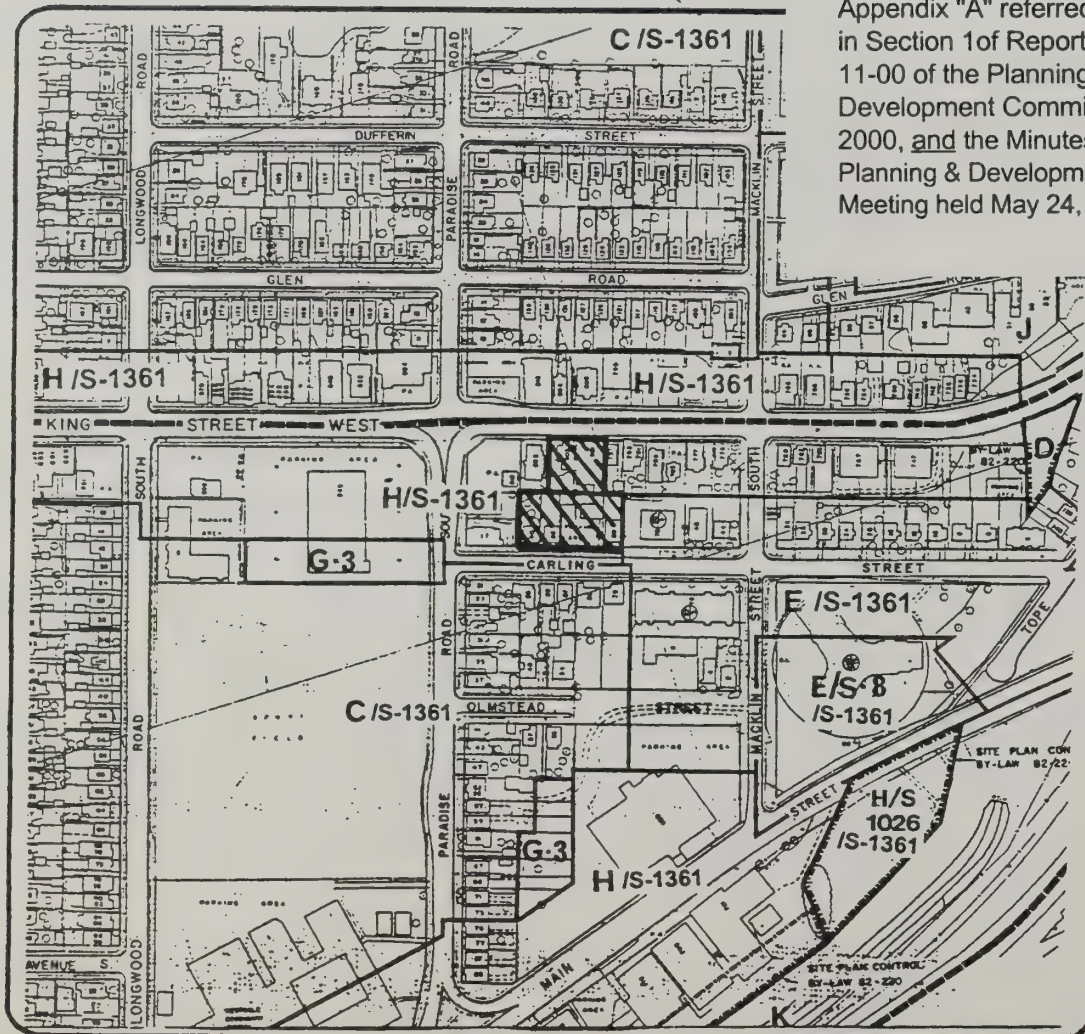
Janet Chase of 111 Clairmont Drive was present and stated that she was concerned that there is lack of information regarding the Auchmar proposal. She has made a request through the freedom of information officer and has not yet been given a reply.

Note: The meeting of the Planning and Development Committee adjourned at 1:35 p.m.

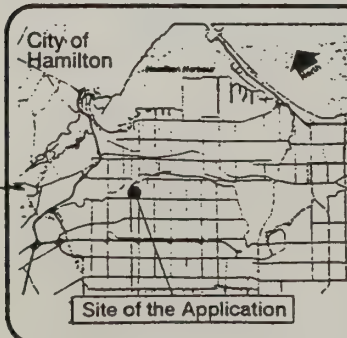
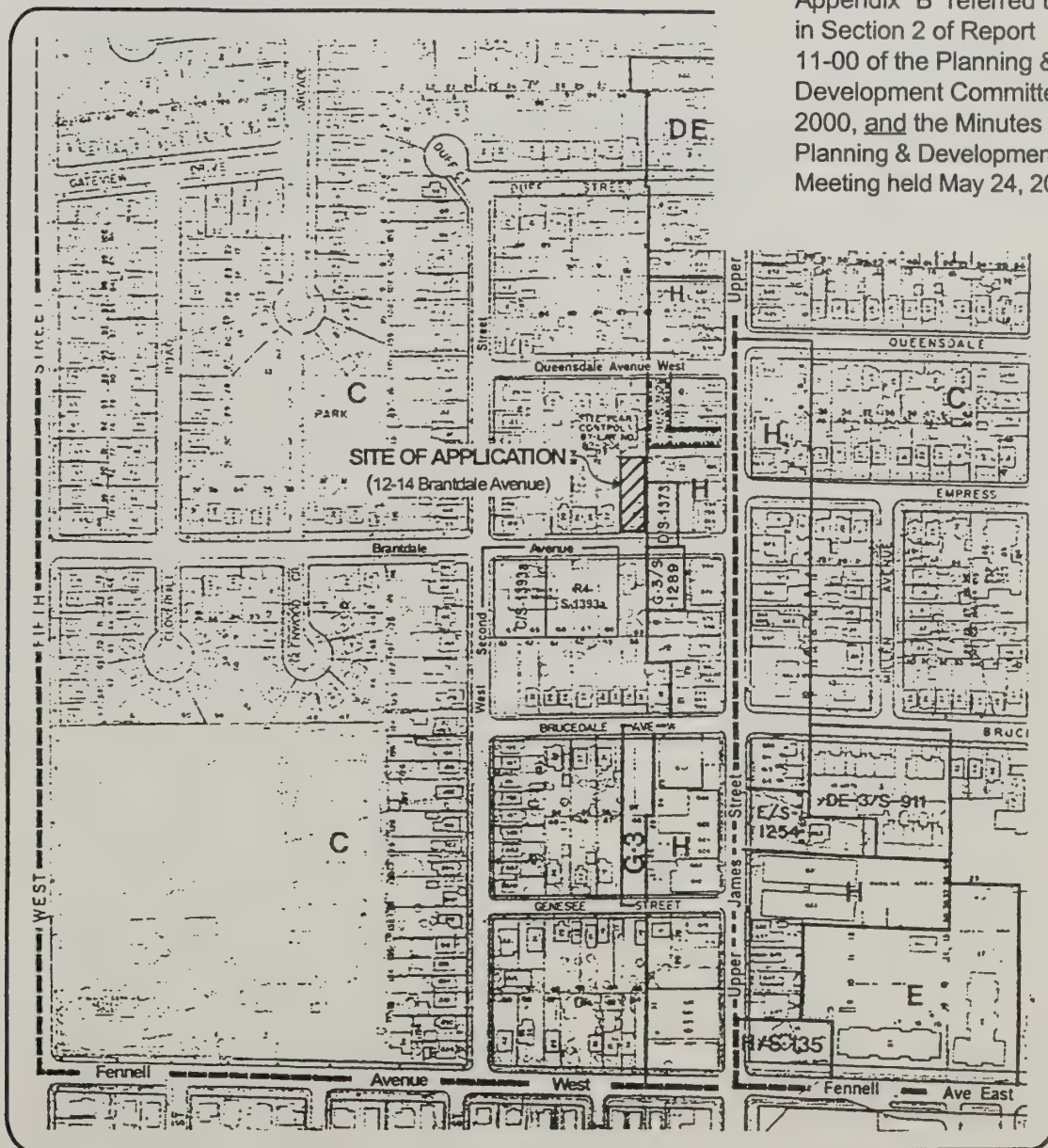
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
May 24, 2000**

Appendix "A" referred to in Section 1 of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.



Appendix "B" referred to in Section 2 of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Change in Zoning from:



"C" (Urban Protected Residential, etc.) District to
 "D" (Urban Protected Residential - One & Two Family
 Dwellings, etc.) District, Modified

Reference file:
ZAC-00-09

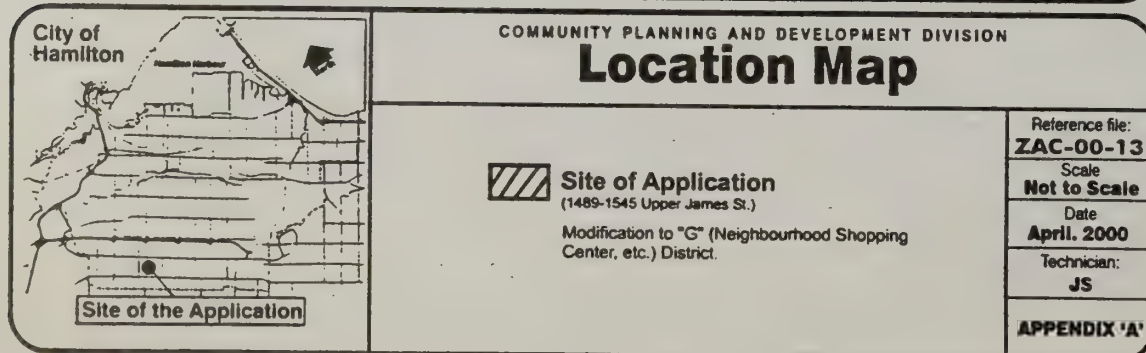
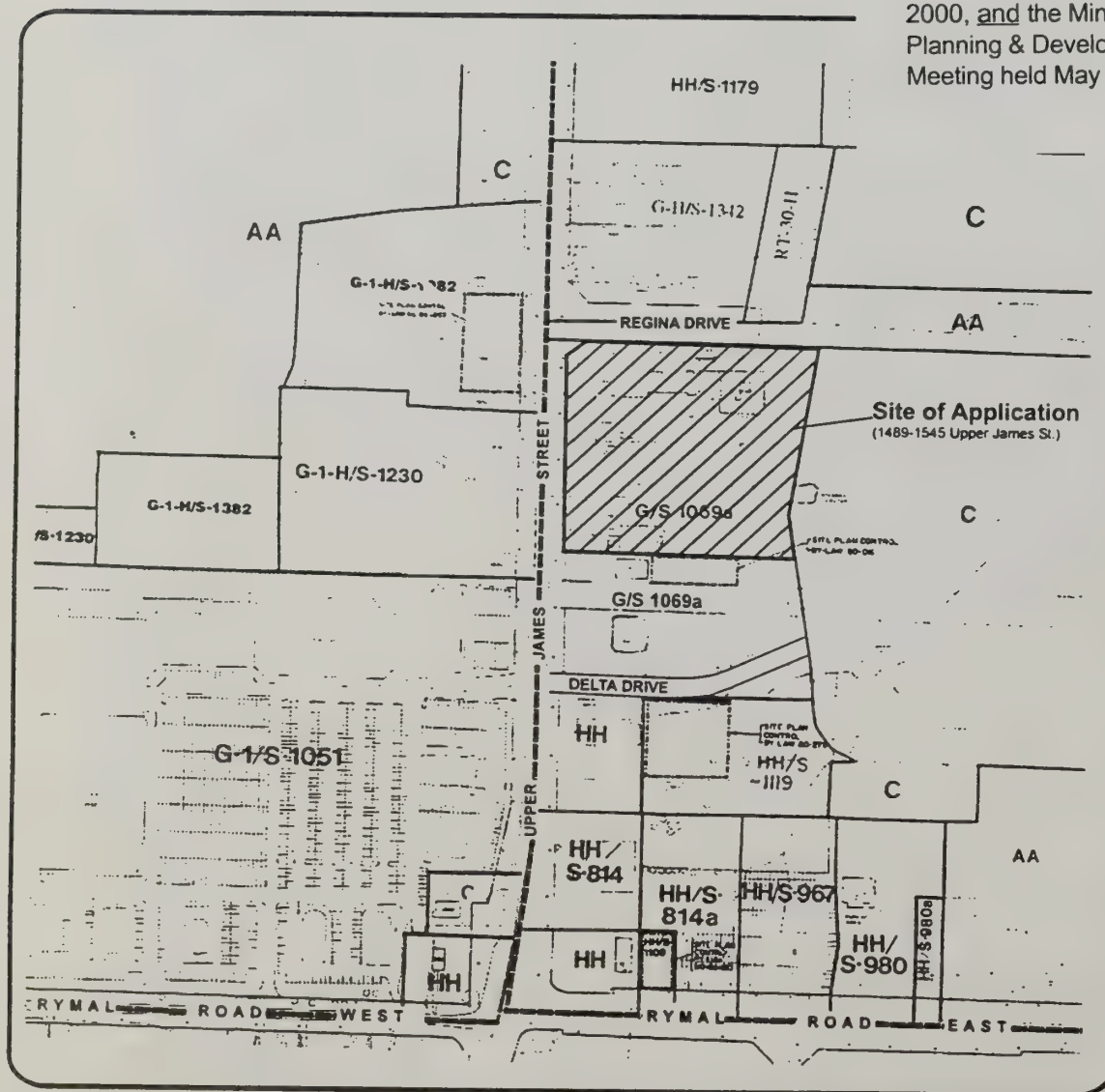
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Date
Mar. 29 2000

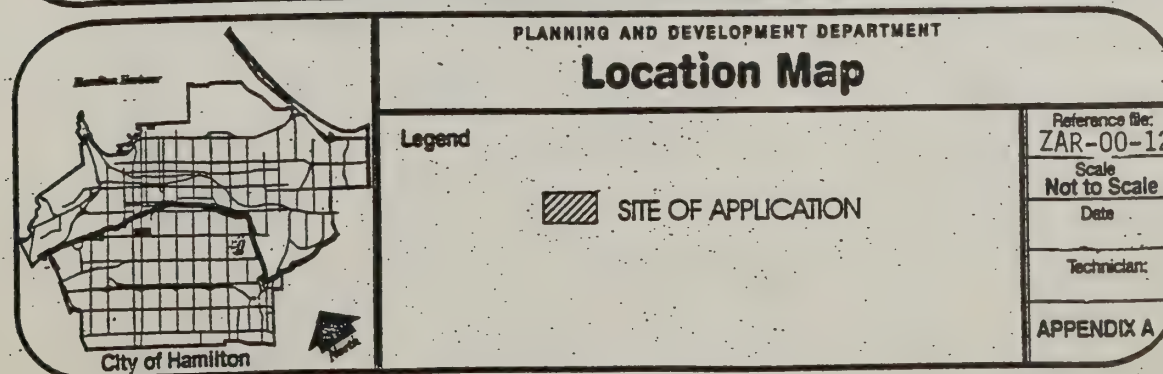
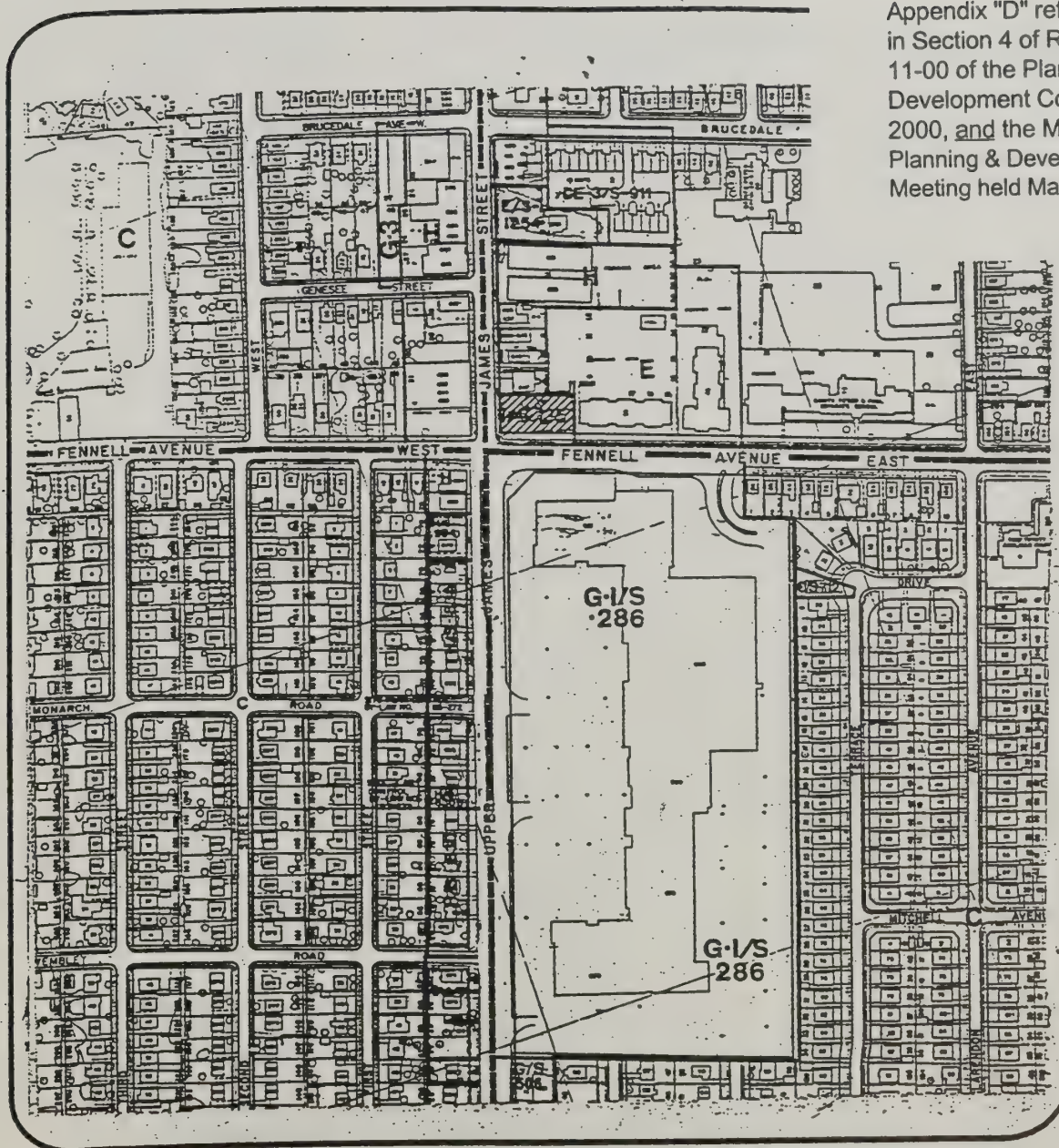
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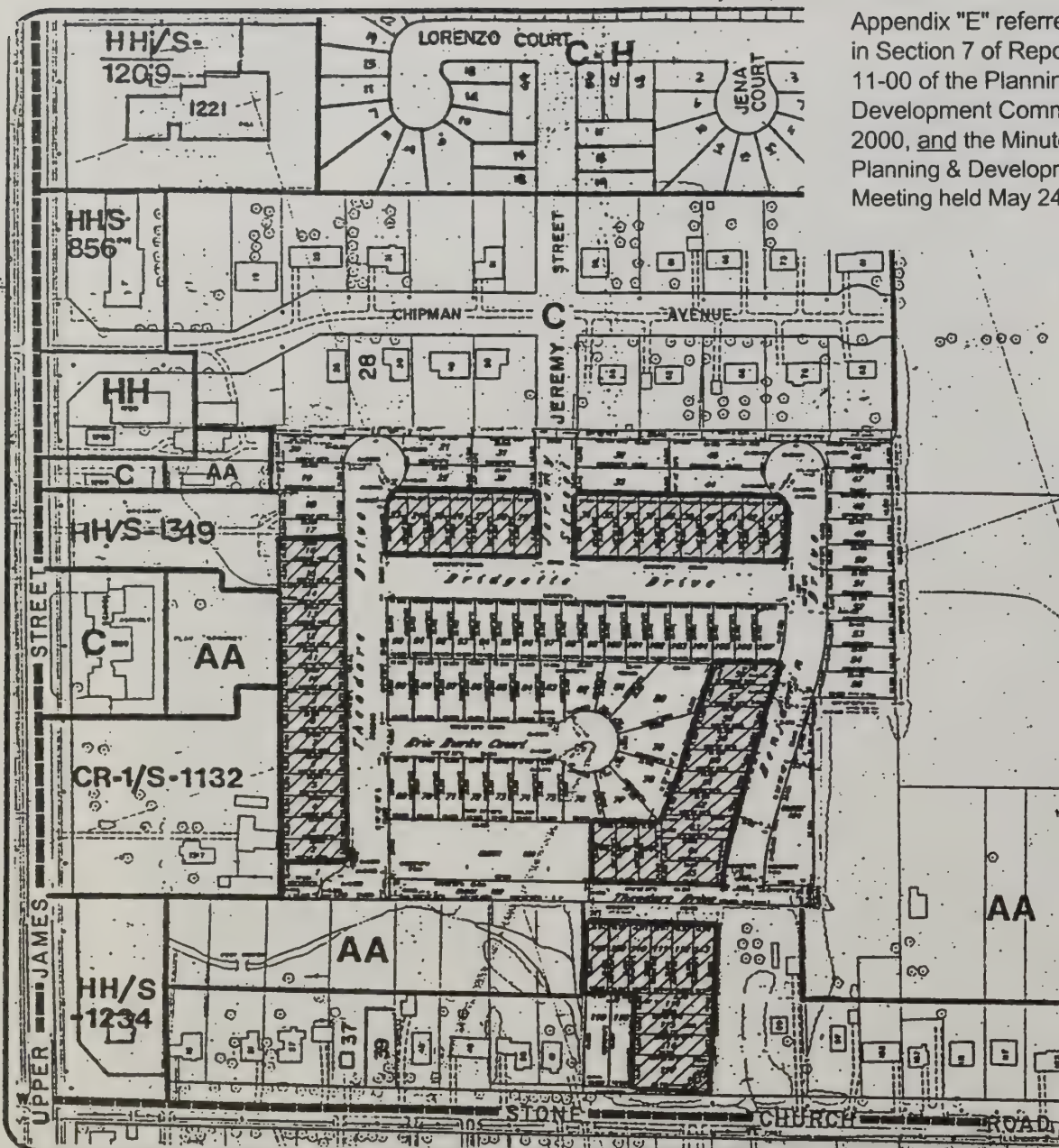
Appendix 'A'

Appendix "C" referred to in Section 3 of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.

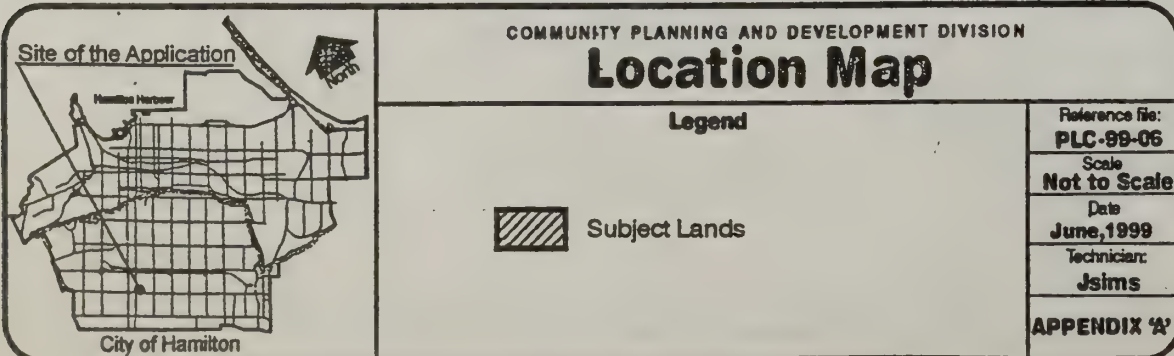


Appendix "D" referred to in Section 4 of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.





Appendix "E" referred to in Section 7 of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.



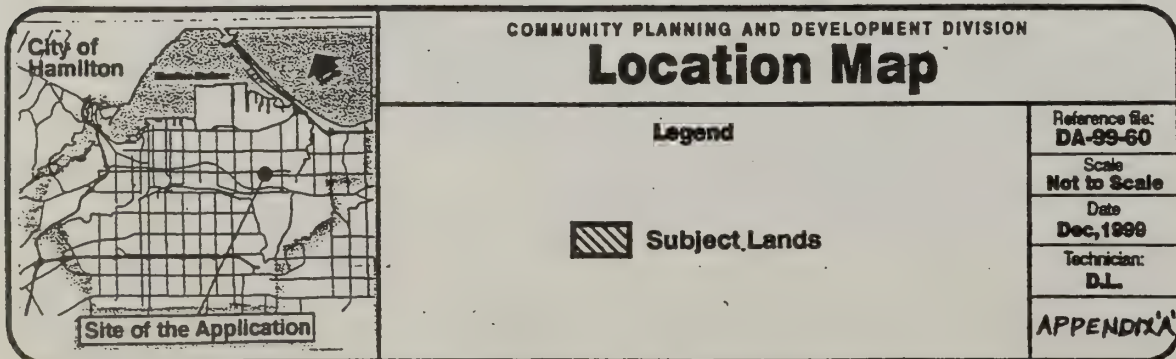
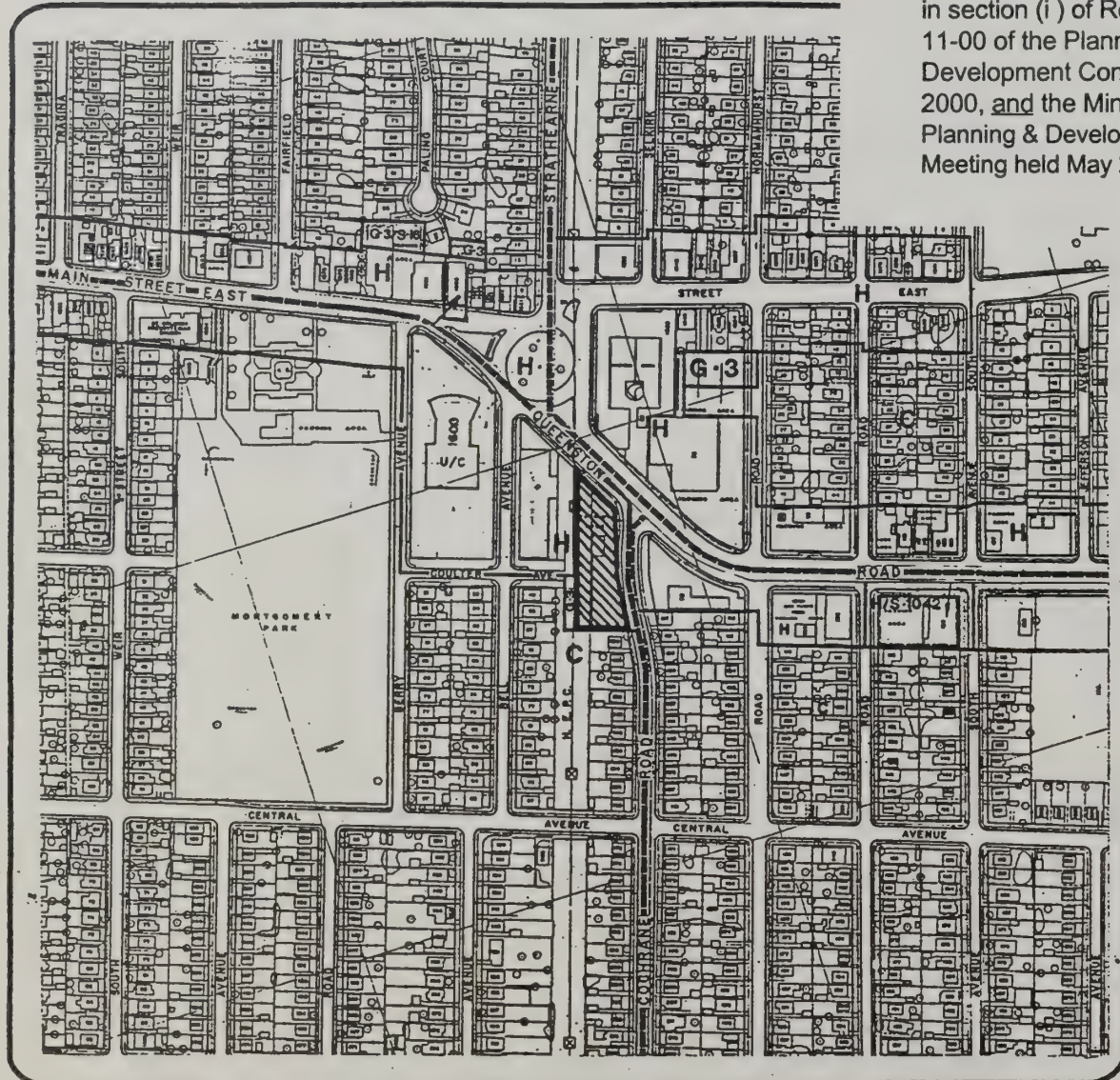
Appendix "F" referred to in Section 10 of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.

Guiding Principles

Based on the intended direction of Council, and input from LACAC, the community, and staff, the following guiding principles have been compiled:

- (a) establishment of an Heritage Easement for the entire property in favour of the City/Ontario Heritage Foundation;
- (b) Creation of "National Historic Site" status for the property;
- (c) Commitment to sustainable public access to the entire property, including all buildings and structures;
- (d) Commitment for the funding of the restoration of all buildings and structures and maintenance of all grounds at no additional expenditures to the City of Hamilton;
- (e) Commitment to sustainable long-term public ownership of a restored cultural heritage property for the City of Hamilton;
- (f) Commitment by all parties, including the tenants, the City and the community, to work co-operatively towards the long-term preservation of the property in the public interest;
- (g) Ensure that the initial property value, which the City of Hamilton invested (i.e., \$2,000,000.00), is protected; and,
- (h) Adaptive re-use and long term occupancy of the heritage buildings on the property is critical to its preservation and financial sustainability.

Appendix "G" referred to in section (i) of Report 11-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 24, 2000.





REPORT

CITY OF HAMILTON NOMINATING COMMITTEE

Tuesday, May 30, 2000
(immediately preceding the formal meeting
of City Council)
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

**YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY
RECOMMENDS:**

1. Appointment of the Chairman of the Committee of the Whole

That Alderman B. Charters be appointed Chairman of the Committee of the Whole for the months of June, July and August, 2000.

2. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-007: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**Mayor R. M. Morrow, Chairman
Nominating Committee**

**Kevin C. Christenson, Secretary
May 30, 2000**

JUN 15 2000

GOVERNMENT DOCUMENTS



MINUTES

CITY OF HAMILTON SPECIAL MEETING OF CITY COUNCIL

Tuesday, June 6, 2000
9:45 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
B. Charters, T. Jackson, T. Anderson, B. Kelly, D. O'Sullivan

Regrets: Alderman F. D'Amico – Regional Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Caplan and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Report of the Finance and Administration Committee, be now considered in Committee of the Whole with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. –16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – REPORT 12-00
--

Rule No. 9 Re: Lakeland Pool

It was moved by Alderman Wilson and seconded by Alderman Collins that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting Lakeland Pool. **CARRIED.**

Section 2 Re: Lakeland Pool

It was moved by Alderman Collins and seconded by Alderman Copps that the following be added as Section 2 of Report 12-00 of the Finance and Administration Committee:

2. Lakeland Pool (CSC00096)(Item 24)

- (a) That City Council approve a grant in the amount of \$20,000 to the Lakeland Family Pool Association for the purpose of operating the Lakeland Pool for the 2000 summer season only; and,
- (b) That the grant be subject to the operators receiving all necessary approvals from the Department of Public Health; and,
- (c) That the grant be subject to the operators providing proof of insurance satisfactory to the City Solicitor; and,
- (d) That the grant in the amount of \$20,000 to Lakeland Pool be funded from the Reserve for Contingency (COHAM 104015); and,
- (e) That this recommendation be forwarded to the Transition Board for their approval; and,
- (f) That audited financial statements be provided by no later than October, 2000. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Hamilton City Council then adjourned at 9:50 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson, Acting Municipal Clerk
June 6, 2000
KCC/dg**



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, June 6, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice- Chairman), Mayor R. Morrow, Aldermen A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Alderman M. Caplan - Regional business
	Region Finance and Administrative Services Committee Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Councillors D. O'Sullivan, B. Kelly, M. Kiss, A. Bain, D. Wilson, A. Sloat
Regrets:	Councillor F. D'Amico - Regional business Councillor R. Powers - illness Councillor M. Caplan - Regional business
Also present:	Councillors R. Corsini, F. Eisenberger J. Bruzzese, A. Ross, L. Bourns, R. Fair, B. Desnoyers, R. Nutley, Fire Chief Peace, N. Catalano, T. Bradbury, J. Weatherhead, B. McMullin, L. Coveyduck, Police Chief Robertson, E. Holt, S. K. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 12-00 AND RESPECTFULLY RECOMMENDS:

1. **Non-Union Salary Adjustment (HUR0004)**(Item 13.1)
 - (a) That the Non-Union salary grid for all City and Regional exempt staff be increased by 1.5% effective April 1, 2000; and,

- (b) That this recommendation will require Transition Board approval.

2. Lakeland Pool (CSC00096)(Item 24)

- (a) That City Council approve a grant in the amount of \$20,000 to the Lakeland Family Pool Association for the purpose of operating the Lakeland Pool for the 2000 summer season only; and,
- (b) That the grant be subject to the operators receiving all necessary approvals from the Department of Public Health; and,
- (c) That the grant be subject to the operators providing proof of insurance satisfactory to the City Solicitor; and,
- (d) That the grant in the amount of \$20,000 to Lakeland Pool be funded from the Reserve for Contingency (COHAM 104015); and,
- (e) That this recommendation be forwarded to the Transition Board for their approval.
- (f) That audited financial statements be provided by no later than October, 2000. **ADDED.**

3. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-024 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 1:15 p.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
June 6, 2000**

URBAN MUNICIPAL

URBAN
MUNICIPAL

MINUTES

JUN 27 2000

CITY OF HAMILTON
SPECIAL MEETING OF CITY COUNCIL

GOVERNMENT DOCUMENTS

Tuesday, June 20, 2000

9:10 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
B. Charters, T. Jackson, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the Resolution\By-law regarding Taxation, be now considered in Committee of the Whole with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RESOLUTIONS

Release of calculated excess working capital – Hydro Commissions
Bill D-025: Confirming By-law

Re: Release of Calculated Excess Working Capital – Hydro Commissions

It was moved by Alderman Charters and seconded by Alderman Kelly that the City of Hamilton in association with the City of Stoney Creek and the Town of Dundas, jointly yet severally, request of the Transition Board for release of "calculated excess working capital" from their respective Hydro Commissions and further;

That the City of Hamilton's allocation in excess of Nine Million Dollars, if approved, be utilized to reduce the tax rate in the City of Hamilton as per our approved budget.

CARRIED.

Re: Adoption of Bill D-025: Confirming By-law

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-025 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Resolution\By-law respecting Taxation, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0.

CARRIED.

*** * * * ***

Hamilton City Council then adjourned at 9:15 p.m.

*** * * * ***

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson,
Acting Municipal Clerk
June 20, 2000
KCC/dg**

URBAN
MUNICIPAL



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, June 27, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

JUL 05 2000

GOVERNMENT DOCUMENTS

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Father Michael Isabelle, St. Ann's Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Appreciation to Dr. Marie Bountrigianni, M.P.P., Brad Clark, M.P.P. and David Christopherson, M.P.P. for their efforts in saving the Henderson Hospital Emergency Room.

Louise Dompierre, Director, Art Gallery of Hamilton, announced that the Art Gallery has received funding from the Canada Arts Council in the amount of \$165,000 for this and the next fiscal year.

Marlene Coffey, Executive Director, Hamilton Downtown Partnership, spoke on the downtown "Summer in the City" program and presented the Mayor with an autographed poster of the program.

Mayor R. M. Morrow presented Patti Beckett with a gift upon her retirement as Executive Director of the Hamilton & Region Arts Council.

Members of the Spring Gala Committee were presented with Certificates of Appreciation by Mayor R. M. Morrow in recognition of their contributions to the Hamilton Philharmonic Orchestra.

Medallions were presented to Members of Saint Mary's Catholic Secondary School for winning the 2000 OFSAA Provincial Girls Soccer Championships.

Mayor R. M. Morrow acknowledged and thanked Gary Shelling, Chairman, and Members of the Youth Video Camp for providing youth from some of Hamilton's twin cities with hands on video experience.

Mayor R. M. Morrow presented a Certificate of Recognition to Kyle Kloosterman for winning the 2000 Canadian National 10 Pin Bowling Bantam Championship.

ADOPTION OF MINUTES

The Minutes of the regular meeting held May 30, 2000 and the special meetings held June 6 and June 20, 2000 were adopted as circulated.

CORRESPONDENCE

1. Application dated May 29, 2000 from Dundurn Street Loffts, for a change in zoning from "DE " – "H" (Low Density Multiple Dwellings – Holding) District modified to "DE " (Low Density Multiple Dwellings) District modified for property at 220 Dundurn Street South, Hamilton, Ontario.

Received.

2. Application dated May 30 from Alanson Lofts Inc. for a removal of holding provision for the properties located at 54-56 Alanson Street, Hamilton, Ontario.

Received.

3. Application dated June 9, 2000 from Atrium Villa Holdings, Toronto, Ontario for a further modification to the "DE'-3" (Multiple Dwellings) District Modified for the property located at 475 Main Street East, Hamilton, Ontario.

Received.

4. Letter dated June 27, 2000 from Sergio Manchia, MCIP, RPP, Senior Planner for Planning and Engineering Initiatives Ltd., 360 James Street North, Hamilton re: Adaptive Re-Use of 73 Garfield Avenue South – Request for waiving of fees – 10 Condominium Lofts. This item is also referred to in Section 13 of Report 12-00 of the Planning and Development Committee.

Received.

5. Letter dated June 14, 2000 from Terry Mundell, Ontario Restaurant Hotel and Motel Association re: Smoking in Public Places and the Workplace.

Received.

Mayor R. M. Morrow introduced the following items for information and directed the Acting Municipal Clerk to distribute them to Members of City Council:

1. E-mail from John Sewell re: Local Self Government – Bulletin No. 9, June 2000; and,
2. Newspaper Article by David Mills, Marketplace entitled "*Each of you can promote Hamilton*"; and,
3. Newspaper by Brent Lawson, The Hamilton Spectator entitled "*It's official: Steel City has a heart of gold*".

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 11-00

Section 2 Re: Proposed Extension to Outdoor Boulevard Café

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Corsini. -1 .

CARRIED.

Section 6 Re: Use of Speed Humps on Residential Streets

It was moved by Alderman O'Sullivan and seconded by Alderman Morelli that Section 6 of Report 11-00 of the Transport and Environment Committee be amended by adding sub-section (i) as follows:

- (i) That the City install a speed hump as a prototype this year to measure the effectiveness as a speed deterrent and to receive resident feedback.

CARRIED.

Section 12 Re: Declaration of Surplus Property – 583 Upper Wellington Street – Municipal Carpark #9a

It was moved by Alderman Kelly and seconded by Alderman Anderson that Section 12 of Report 11-00 of the Transport and Environment Committee be tabled until the July 4, 2000 City Council Meeting.

CARRIED.

PARKS AND RECREATION COMMITTEE – REPORT 08-00

Section 8 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Jackson. –1 .

CARRIED.

Section 9 Re: Multipad Arena

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1 .

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 12-00

Section 13 Re: Waiving of fees for 73 Garfield Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Morelli, Haining, Eisenberger, Jackson, Kelly. –6.

NAYS: Aldermen Kiss, Caplan, Horwath, Corsini, Copps, Wilson, Collins, Charters, Anderson, D'Amico, O'Sullivan. –11. **LOST.**

Section 14 (b) Re: Bill C-031

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2 .

CARRIED.

* * * * *

Section 14 (j) Re: Bill C-039 – Schedule “A”

It was moved by Alderman D'Amico and seconded by Alderman Copps:

- (a) That Section 14 (j) of Report 12-00 of the Planning and Development Committee be amended by replacing schedule “A” of Bill C-039 with a new schedule “A” as attached hereto and marked as Schedule “A”; and,
- (b) That pursuant to section 34 (17) of the Planning Act, Council determines that no further notice need be given.

CARRIED.

* * * * *

Section 15 Re: Waiving of Fees for Redevelopment of Derelict Buildings

It was moved by Alderman Wilson and seconded by Alderman Morelli that the following be added as Section 15 of Report 12-00 of the Planning and Development Committee:

- 15. That the policy issue with respect to incentives such as waiving of the building, park development and condominium application fees for the redevelopment of derelict buildings be referred to the Planning and Development Committee.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 13-00

Section 1 Re: Hamilton Downtown Partnership

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Charters, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Jackson, Anderson. -2.

CARRIED.

Section 4 Re: Sale of Alleyway between Glenfern Avenue and Amelia Street

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter as his family owns property in the immediate area.

Section 5 Re: Declaration of Surplus Lands – Hamilton Beach

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Caplan -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 14-00

Rule No. 9 Re: Purchase Order – G.S. Wark – Hamilton Fire Stations 6 and 11

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a Purchase Order to G.S. Wark Re: Hamilton Fire Stations No. 6 and 11.

CARRIED.

Section 7 Re: Purchase Order – G.S. Wark for Hamilton Fire Stations 6 and 11

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 7 of Report 14-00 of the Finance and Administration Committee:

7. (a) That staff be authorized to issue a Purchase Order to G.S. Wark of Hamilton in the amount of Five Hundred and Thirteen Thousand Six Hundred (\$513,600.) including applicable taxes of Thirty Three Thousand Six Hundred (\$33,600) for Hamilton Fire Stations No. 6 and 11, Minor Upgrades and Ambulance Expansion as detailed in the contract Documents issued in May 2000, and;
- (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Contractor, and;
- (c) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City, and;
- (d) That the General Manager of the Community Services Division be authorized to expend the project contingency of \$50,000 for unforeseen and additional project requirements. **CARRIED.**

NOTICE OF MOTION FOR NEXT MEETING

Smoking in Public Places and the Workplace

Alderman B. Charters gave notice that he would move at the next meeting of City Council the following motion respecting Smoking in Public Places and the Workplace:

That the following amendments to By-law 98-140 be approved:

- a) That By-law No. 98-140 respecting Smoking in Public Places and the Workplace be amended by:
- i) extending the date for restaurants to provide designated smoking areas or to become smoke free from "May 31, 2000" in Subsection 5(2) and inserting the date of "March 31, 2001" in lieu thereof.
 - ii) removing the word "patios" from the six line of part (a) of the definition of "public place" under section 1 of the by-law
 - iii) inserting the following subsection (2) of Section 1 of the by-law:

"(2) Notwithstanding the provisions of this by-law, smoking is permitted in that part of a restaurant or the area operated as a restaurant, which part of area is an outdoor patio, and which patio lacks either a roof or walls, other than up to two walls which walls are the exterior of a wall of the restaurant."

- b) That the appropriate by-laws to amend By-law 98-140 be passed and enacted;
- c) That in all other respects By-law 98-140 as amended is confirmed without change.

**ACTING MAYOR FOR THE MONTHS OF:
JULY, AUGUST AND SEPTEMBER, 2000**

It was moved by Alderman Horwath and seconded by Alderman Corsini that Alderman D. O'Sullivan be appointed Acting Mayor for the month of July, 2000.
CARRIED.

It was moved by Alderman Horwath and seconded by Alderman Corsini that Alderman M. Kiss be appointed Acting Mayor for the month of August, 2000.
CARRIED.

It was moved by Alderman Horwath and seconded by Alderman Corsini that Alderman M. Caplan be appointed Acting Mayor for the month of September, 2000.
CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

Note: The meeting adjourned at 10:10 p.m.

Taken as read and approved,

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson, Acting Municipal Clerk
June 27, 2000**

KCC/dg



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, June 19, 2000
11:00 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen A. Horwath, B. Morelli, T. Jackson, F. D'Amico
Absent with regrets:	Mayor R. M. Morrow – City Business Alderman M. Kiss – Illness Alderman T. Anderson – City Business
Also Present:	Aldermen R. Corsini, D. Haining, G. Copps, F. Eisenberger, B. Price, C. Guthro, M. Hazell, T. Gill, R. Meiers, H. Solomon, K. Nutley, W. Plessl, F. Westaway, C. Biggs
Alderman C. Collins, Chairperson, called the meeting to order.	

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 11-00 AND RESPECTFULLY RECOMMENDS:

1. **73 Garfield Avenue South, Proposed Alley Paving (PWT00118)** (Item 3.1b)

That the request by Planning and Engineering Initiatives Ltd. to pave the alley east of Garfield Avenue South from Dunsmure Road to approximately 48m southerly be processed as a local improvement.

2. **Proposed Extension to Outdoor Boulevard Café – 33 Hess Street South, Hamilton (PWT00115)** (Item 4)

- (a) That the application of D. Dore, owner and B. Baldassarro and M. Vickers, operators of 33 Hess, located at 33 Hess Street South in Hamilton, to expand the existing outdoor boulevard café by another 10'

X 39' onto the adjacent Hess Street road allowance, be approved, subject to the following conditions:

- (i) That the owner and applicants enter into appropriate Outdoor Boulevard Cafe agreements in a form satisfactory to the Acting Commissioner of Public Works and Traffic and the Corporate Counsel and Director of Real Estate; and,
 - (ii) That the applicants pay a \$50. document registration fee; and,
 - (iii) That the applicants provide proof of \$5,000,000 public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (iv) That the applicants occupy the licensed area of the boulevard from May 1 to October 31 only and that all furniture, equipment, etc. be removed from the road allowance at all other times; and,
 - (v) That the applicants maintain access for the physically challenged utilizing the Barrier Free Design Standards adopted by Council on 1994 October 25; and,
- (b) That the applicant receive permission for variance from the Committee of Adjustment; and,
- (c) That the Mayor and the Municipal Clerk be authorized and directed to execute the Outdoor Boulevard Cafe Agreement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Corsini. -1 .

CARRIED.

3. Proposed Outdoor Boulevard Café – Ferguson Avenue North, Hamilton (PWT00113) (Item 5)

- (a) That the application of W. Schoen, owner of the Black Forest Inn at 255 King Street East, to erect and maintain an outdoor boulevard cafe on the Ferguson Avenue road allowance adjacent to his property at 251 King Street East, utilizing 21' X 60' of road allowance, be approved, subject to the following conditions:

- (i) That the applicant enter into an Outdoor Boulevard Cafe agreement in a form satisfactory to the Acting Commissioner of Public Works and Traffic and the Corporate Counsel and Director of Real Estate; and,
 - (ii) That the applicant pay a document registration fee of \$50; and,
 - (iii) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (iv) That the applicant occupy the licensed area of the boulevard from May 1 to October 31 only and that all furniture, equipment, etc. be removed from the road allowance at all other times; and,
 - (v) That the applicant maintain access for the physically challenged utilizing the Barrier Free Design Standards adopted by Council on 1994 October 25; and,
- (b) That the Mayor and the Municipal Clerk be authorized and directed to execute the Outdoor Boulevard Cafe Agreement.

4. Temporary Road Closure – King William Street, Hamilton (PWT00120)
(Item 6)

That the application of the Downtown Hamilton B.I.A. to temporarily close King William Street between James Street and Hughson Street on Thursday, July 6, 2000 at 4:00 p.m. to Sunday, July 9, 2000 at 12 noon, to hold the second annual King William Street Downtown Block Party, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (d) That all barricading be supplied by and at the expense of the applicant; and,

- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and,
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and,
- (i) That the applicant be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight during the event, and that a City of Hamilton Noise By-law officer be in attendance, if necessary, throughout the event, at the expense of the applicant.

5. Request to Remove a portion of John Street North from the "Through Street" System (PWT00117) (Item 8)

That the following recommendation be forwarded to the Region's Transportation Services Committee for consideration:

- (a) That overnight parking be permitted on John Street North, between Robert Street and Barton Street West, from April 1 to October 31; and,
- (b) That an appropriate amendment to Regional Traffic By-law R89-083 be passed and enacted.

6. Use of Speed Humps on Residential Streets (TOE00003a) (Item 10)

- (a) That the general concept of the use of speed humps and speed tables to control speeds on residential neighbourhood streets and in alleys be endorsed; and,
- (b) That speed humps and speed tables only be permitted on two-lane residential streets or alleys with speed limits of 50 k/hr or lower; and,

- (c) That the use of speed humps be endorsed only for locations with proven traffic problems as per the criteria in Appendix "A" attached hereto; and,
- (d) That speed humps only be installed with the strong support and concurrence of residents of all streets in the area that would be affected, as per the criteria in Appendix "B" attached hereto; and,
- (e) That speed humps not be installed on routes identified as primary response routes by emergency services and that whenever speed humps are installed the concerns of the emergency services are defined and communicated to the residents; and,
- (f) That speed humps not be installed on HSR routes; and,
- (g) That staff be directed to prepare a capital budget submission for the year 2001 for initial speed hump program; and,
- (h) That, in accordance with the guidelines issued, this report does not require Transition Board approval.
- (i) That the city install a speed hump as a prototype this year to measure the effectiveness as a speed deterrent and to receive resident feedback. **ADDED.**

7. Responsibility for Traffic Functions (PWT00104) (Item 11)

- (a) That the responsibility for all neighbourhood traffic issues be returned to the Community Traffic and Parking Services Division; and,
- (b) That the Acting City Manager be directed to return the appropriate budget base back to the Public Works and Traffic Department for the Neighbour-hood Traffic Safety Co-ordinator position.

8. Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – May 1, 2000 (PWT00106) (Item 13.1)

That the requests for routine amendments as listed in Appendix "C" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

9. Proposed Alteration of Strachan Street, from Bay Street North to Approximately 85m Easterly (PWT00119) (Item 13.2)

- (a) That the proposed alteration of Strachan Street from Bay Street North to approximately 85m easterly by realigning the roadway and widening the pavement from an existing width of 8.7m to a proposed width varying from 8.7m to 15.9m as shown on Appendix "D" attached hereto, be advertised under Section 300 of The Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990; and,
- (b) That the Commissioner of Public Works and Traffic prepare the necessary By-law in a form satisfactory to Corporate Counsel and advertised by the Municipal Clerk.

10. Neighbourhood Watch Program for the Ainslie Wood East Neighbourhood (PWT00101) (Item 13.3)

- (a) That the Ainslie Wood East Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Ainslie Wood East Neighbourhood be erected and maintained by the Department of Public Works and Traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to the Neighbourhood Watch Program, Account No. COHAM-55301-466010.

11. Street Vendor Operation – Mr. Tom Anderson (PWT00112) (Item 13.4)

That the street vendor location at the southeast corner of York and Bay Streets, awarded to Mr. Tom Anderson, be made subject to the following:

- (a) The period of operation to commence January 1, 2000 and expire December 31, 2000; and,
- (b) The 2000 fee for this location be \$2,200; and,
- (c) The products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,
- (d) Mr. Anderson submit an Operational Plan indicating a schedule of working hours; and,

- (e) Mr. Anderson enter into a legal agreement satisfactory to Corporate Counsel; and,
- (f) The Municipal Clerk and Mayor be authorized to execute the necessary agreement.

12. Declaration of Surplus Property – 583 Upper Wellington Street – Municipal Carpark #9a (PWT00110) (Item 13.5)

- (a) That 583 Upper Wellington Street, Municipal Carpark #9a, described as Lot 27 and part of Lot 26, Plan 572, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049. **TABLED TO THE JULY 4, 2000 COUNCIL MEETING**

13. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-033 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (b) A-034 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.

FOR THE INFORMATION OF THE MEMBERS OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes (Item 2)

That the Minutes of the meetings of the Transport and Environment Committee held on May 1, 9 and 30, 2000, be adopted.

(c) Delegations

- (i) E. Lazar, 55 Melrose Avenue South, Hamilton – Alleyway Encroachment (New Business)

Mrs. E. Lazar appeared before the Committee respecting the alleyway along the rear of her property at 55 Melrose Avenue South, and her ability to have clear access to her double-car garage as a result of an illegal structure in the alleyway.

Staff was directed to obtain a report back to the Committee from the Legal Department outlining the City's jurisdiction and authority to remove encroachments on unassumed alleyways.

In the interim, the Ward Aldermen indicated that they would arrange an on-site meeting with Mrs. Lazar and staff to resolve the issue on a temporary basis.

- (ii) Request from Sergio Manchia, Planning and Engineering Initiatives, to address the Committee respecting alley paving – Garfield Avenue South
(Item 3.1a)

Mr. S. Manchia of Planning and Engineering Initiatives, appeared before the Committee respecting the upgrading of the alleyway at the rear of 73 Garfield Street South, Hamilton.

- (iii) Mr. Brian Butler et al re: flooding of residences on Beach Strip (Item 3.2)

Mr. B. Butler of 21 Arden Avenue, and Ms. J. Hamilton of 21 Granville Avenue, appeared before the Committee to express their concerns regarding the safety, health and nuisance factors of the constant flooding of those residents' properties who reside on the bay side of Beach Boulevard. The detailed written submission by Mr. Butler is available for perusal in the Clerk's Office.

Staff advised the Committee that proposed improvements in the amount of \$571,000 were submitted in the 2000 Capital Budget to alleviate the flooding problems. However, this program was not approved during the budget process.

Staff was directed to resubmit this request in the 2001 Capital Budget process for the consideration of the Transition Board, and that the Board be requested to allow the opportunity for the bay side residents to appear as a delegation at that time.

- (iv) Proposed Extension to Outdoor Boulevard Café – 33 Hess Street South, Hamilton (PWT00115) (Item 4)

Mr. B. Baldassaro, appeared before the Committee to speak in support of the application for the proposed extension to the outdoor boulevard café at 33 Hess Street South. The Committee requested that every attempt be made to keep the proposed extension aesthetically in keeping with the current appearance of Hess Village.

Mrs. P. Bragoli and Mrs. D. Kantowski, both residents at 222 Jackson Street West, addressed the Committee expressing their objection to the proposal.

- (d) **Request to Remove a portion of John Street North from the “Through Street” System (PWT00117) (Item 8)**

Aldermen A. Horwath and T. Jackson indicated that they wished to be recorded as being opposed.

- (e) The following reports were **tabled**:

- (i) Petition to Remove Aberdeen Avenue from the “Through Street” System (PWT00083) (Item 7)
- (ii) Locke Street South – Various Sidewalk Encumbrances (PWT00114) (Item 9)

- (f) **Use of Speed Humps on Residential Streets (TOE00003a) (Item 10)**

Section 2 of Appendix “B” to Report TOE0003a was amended by:

- (i) Deleting the word “minimum” and replacing it with “target” in lieu thereof;
- (ii) Adding the following sentence at the end of Section 2:

“The affected area is to be determined by staff in consultation with the elected representatives for the area.”

- (g) **Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – May 1, 2000 (PWT00106) (Item 13.1)**

Alderman B. Morelli requested that Item (i) in Ward 3 of the routine amendments, being the removal of the existing eastbound and westbound stop control at the intersection of Burris and Cumberland, be tabled.

- (h) **Referral from Regional Council requesting adoption of "Corporate Smog Response Plan 2000 (PD99017a) (Item 12)**

The Committee received the report and directed staff to bring a report back on the implications of the "Corporate Smog Response Plan 2000" on operations.

- (i) **The following item was received:**

- (i) Rennie Street Closed Landfill Site (PWT00123) (Item 13.6)

Note: The meeting of the Transport and Environment Committee adjourned at 1:00 p.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
June 19, 2000**

MINIMUM CRITERIA FOR THE INSTALLATION OF A SPEED HUMP

1. The location for the proposed speed humps must be a local residential street, with no more than 2 travelled lanes, or an alley.
2. The 85th percentile speed must be at least 8 k/hr higher than the speed limit.
3. The street must have a traffic volume of at least 300 vehicles per day.
4. The proposed installation locations must be visible for a minimum of 200 feet in both directions.
5. The proposed speed hump locations should be more than 75 metres from all traffic signals.
6. The preferable minimum distance from a speed hump to a stop controlled intersection is 75 metres, but this may be reduced to 50 metres or less in special circumstances.
7. The speed humps must not be on an emergency response route, (as designated by the Fire Department).
8. The proposed location must not be on a HSR bus route.
9. The street should have curb and gutter. Consideration may be given to streets without curb and gutter but in such cases special care should be used to accommodation of drainage and prevent vehicles from driving around the speed humps.

Appendix "B" as referred to in
Section 6 of Transport and Environment
Committee Report 11-00

NEIGHBOURHOOD INFORMATION PROGRAM

INSTALLATION PROCEDURE FOR SPEED HUMPS

1. There must be a Committee of neighbourhood residents willing to act as a liaison committee.
2. A target of 75% support from the total number of households on the blocks of the roadway proposed for the installation and 67% of all households on streets in the area affected by the speed humps shall be required to warrant the installation. The affected area is to be determined by staff in consultation with the elected representatives for the area.
3. A letter from the Emergency Services shall be sent to the residents along with the petition form to ensure that they understand the consequences on the response time for delivery of emergency services.
4. The response letter from the property owners living on the street in question shall indicate that they concur with the installation of speed humps and have signed the petition understanding that there may be speed humps, warning signs, pavement markings and/or restricted parking directly in front of their homes.

Ward 1

- (a) Alderman Mary Kiss and Alderman Marvin Caplan have forwarded a request from area residents that the existing "1/2 Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Herkimer, east of Locke, be removed as the adjacent property is presently vacant.

Ward 2

- (a) Staff has received a petition signed by representatives of 12 of the 18 homes abutting Hughson between Barton and Murray requesting that a "Permit Parking" regulation be implemented on both sides of the street in this block. A maximum of 14 permits can be issued to the residents.
- (b) The Hamilton Street Railway has requested that the existing bus stop on the north side of Duke, west of James, be relocated to a mid-block location on the north side of Duke, east of MacNab. The subject bus stop was relocated on a trial basis several months ago and to date, no concerns have been identified.
- (c) Alderman Ron Corsini has requested the removal of the evening rush hour stopping prohibition on the north side of Burlington between James and Bay. Staff concurs with this request and also recommends that the morning rush hour stopping prohibition be removed, in this area.
- (d) As a result of concerns raised at a recent public meeting convened by Aldermen Andrea Horwath and Ron Corsini, staff is recommending that three-way stop control be implemented at the intersection of Mary and Murray.
- (e) As a result of concerns raised at a recent public meeting convened by Aldermen Andrea Horwath and Ron Corsini, and a subsequent staff review, it is recommended that Burlington between Mary and Ferguson and Mary between Burlington and Barton be removed from the City's Truck Route system.

Ward 3

- (a) Mrs. Elisa Cesa, 127 Balmoral Avenue North, has requested that a "Wheelchair Loading Zone, 7:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of Balmoral in front of her home to accommodate her daughter who requires the use of wheelchair accessible transportation.

- (b) Staff has received a petition signed by representatives of 13 of the 18 homes abutting Lorne between Maplewood and Afton requesting that the recently implemented full-time "Permit Parking" regulation on the east side of Afton be changed back to a "Permit Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation. Twelve of the residents are in favour and one is opposed to changing the regulation back. Seven of the residents had signed the original petition in favour.
- (c) Mr. Gerald Metcalf, 290 Grosvenor Avenue North, has requested that a reserved "Permit Parking" regulation be implemented on the west side of Grosvenor at No. 295, across the street from his home, since he is disabled. In 1997, Mr. Metcalf was granted a reserved parking space on the east side of the street in front of his home, however, he has since advised of a need for a space on the west side due to the existing "Alternate Side Parking" regulation. Ms. Nunes, 295 Grosvenor Avenue North, supports the request.
- (d) Ms. Diana Rychlik, 81 Case Street, requests that a reserved "Permit Parking" regulation be implemented on the north side of Case, east of Barnesdale, directly in front of her home, since she is disabled. Staff has confirmed that Ms. Rychlik satisfies all criteria attendant to this regulation.
- (e) Hal Warwick, 25 East Avenue North, has requested the implementation of a "Wheelchair Loading Zone, 9:00 a.m. to 6:00 p.m., Seven Days a Week" regulation on the west side of East, directly in front of his home, as his wife requires the use of DARTS vehicles.
- (f) Bob Filmore, Maintenance Supervisor, Voith Fabrics, 240 Lottridge Street, has requested that a "No Parking" driveway clearance be implemented on the west side of Lottridge, opposite their driveway, to facilitate turning movements of trucks accessing their driveway. A representative of Hotz Environmental, 239 Lottridge Street, has advised that they support the implementation of the requested regulation in front of their property.
- (g) Staff has received a petition signed by representatives of all five of the homes abutting Birge between East and Emerald requesting that the existing "No Parking" regulation be switched from the south side to the north side in this block to improve access to their driveways. All five of the residents that signed the petition are in favour of switching the regulation.
- (h) Staff has received a petition signed by representatives of 18 of the 23 homes abutting Balsam between Barton and Beechwood requesting that the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be removed from both sides of the street in this block. All 18 of the residents that signed the petition are in favour of removing the regulation.

Ward 4

- (a) Staff has received a petition signed by representatives of 21 of the 30 abutting homes on Cannon between Robins and Kenilworth, requesting that the existing full-time "No Parking" regulation be removed. The existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation will remain in effect, and a "No Parking, 2:00 a.m. to 7:00 a.m., Seven Days a Week" regulation will be implemented to accommodate street maintenance operations.
- (b) Victor Mills, 150 Glow Avenue, has requested that a "No Parking" regulation be implemented on the south side of Glow, adjacent to the walkway to Glow Park, to improve visibility of children accessing the park. Representatives of the three properties abutting this area support the implementation of the requested regulation.
- (c) Alderman Dave Wilson has forwarded a petition signed by representatives of seven of the ten homes abutting Robins between Barton and Newlands requesting that the existing "Permit Parking" regulation on the west side of the street be removed. All seven of the residents are in favour of removing the subject regulation.

Ward 5

- (a) Alderman Chad Collins has forwarded a petition signed by representatives of 14 of the 23 homes abutting Tara requesting that the existing "Alternate Side Parking" regulation be removed from the street to allow unrestricted parking on both sides. Staff has contacted two additional residents. All 16 residents are in favour of removing the subject regulation.
- (b) Alderman Chad Collins has forwarded a petition signed by seven of the nine homes abutting Greenhill between National and Tommar requesting that the existing full-time "No Parking" regulation be removed from the west side of the street in this area. All seven residents are in favour of removing the regulation to allow unrestricted parking during the day.

Ward 6

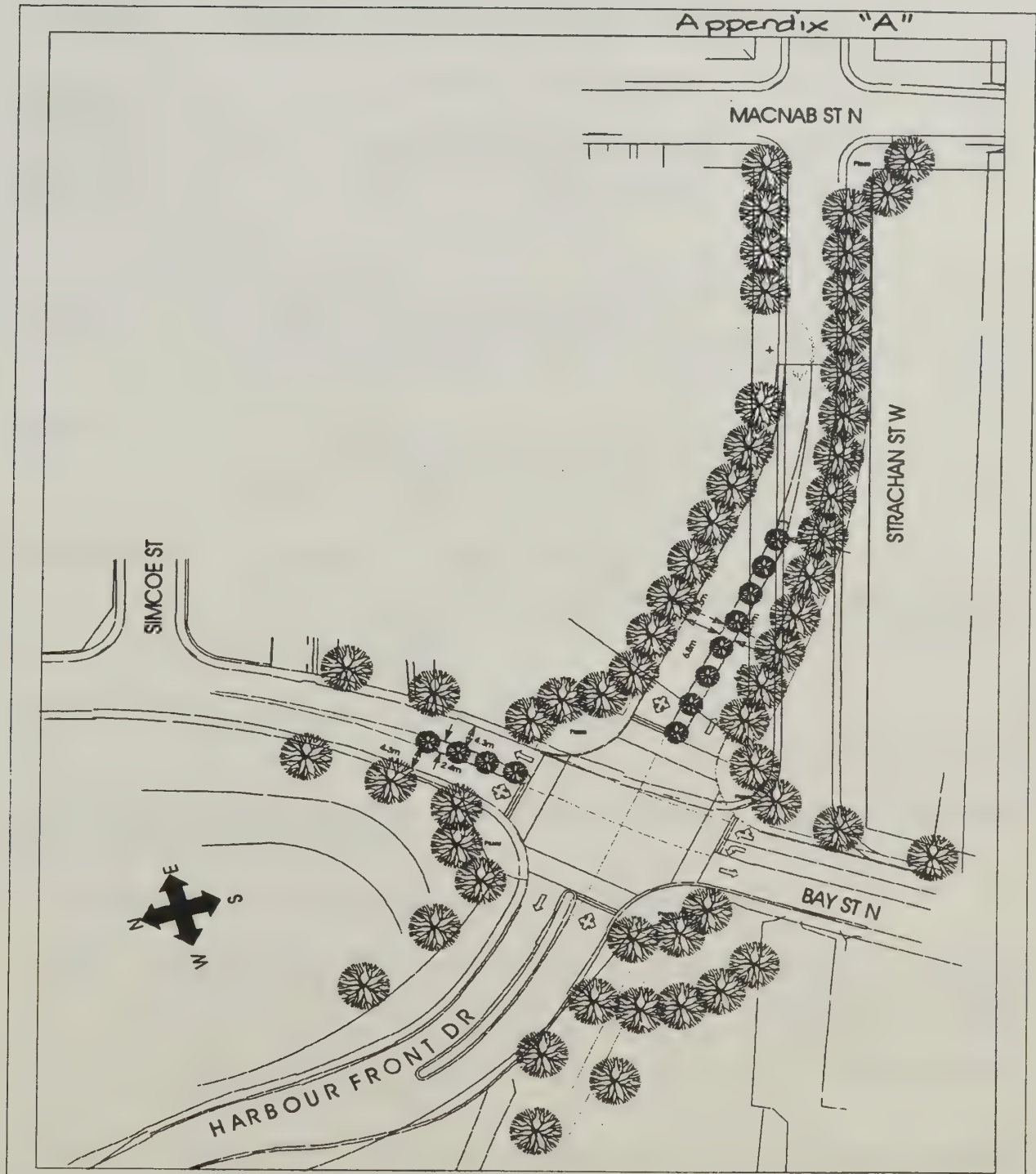
- (a) Alderman Bob Charters has forwarded a petition signed by representatives of seven of the eight properties abutting Lockheed between Landron and Paris requesting that a full-time "No Parking" regulation be implemented on the west side Lockheed in this block. All seven of the residents support the requested regulation.
- (b) Alicia Hewitt, 75 East 31st Street, has requested that a "Wheelchair Loading Zone, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of East 31st, directly in front of her home, since her daughter requires the use of DARTS vehicles.

- (c) Staff has received a petition signed by representatives of five of the seven residential properties abutting the easterly end of Rosanne requesting that the "No Parking" regulation be restored to both sides of Rosanne between Palmer and the west property line of No. 7 Rosanne. All five of the residents support re-instating the subject regulation.

Ward 7

- (a) Charolynn Talarico, 36 Arrowhead Drive, has requested that westbound stop control be implemented at the "T" type intersection of Arrowhead and Upper Wentworth.

Appendix "D" as referred to in
Section 9 of Transport and Environment
Committee Report 11-00





REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

Monday, June 19, 2000

1:15 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman B. Morelli (Chairperson) Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson, D. O'Sullivan
Regrets:	Alderman M. Kiss (Vice-Chairperson) (Illness) Mayor R. M. Morrow (Medical Appointment) Alderman T. Anderson (City Business)
Also Present:	Aldermen B. Charters, A. Horwath R. Fair, K. Dunccliffe, G. Makins, D. Wood, S. Merlo-Orzel, H. Kayal, C. Guthro, B. Chrystian, W. Plessl, E. Holt, B. Price, B. Dunn, C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 08-00 AND RESPECTFULLY RECOMMENDS:

1. **Reciprocal Use of Facilities Agreement (CSC00089)** (Item 4)
 - (a) That the proposed Reciprocal Use of Facilities Agreement, attached hereto and marked as Appendix "A", for a service exchange of facilities used by Culture and Recreation Departments and the Hamilton-Wentworth District School Board, be approved for implementation September 1, 2000; and,
 - (b) That the Mayor and Acting Municipal Clerk be authorized and directed to execute the necessary agreement satisfactory to Corporate Counsel; and,

- (c) That this recommendation be forwarded to the Transition Board for approval.

2. East Kiwanis Boys and Girls Club - Prime Consultant Selection (CSC00099) (Item 5)

- (a) That Staff be authorized to issue a Purchase Order to McCallum Sather Architects of Hamilton for the design and contract document preparation for the East Kiwanis Boys and Girls Club in the amount of One Hundred and Ninety Three Thousand and Fifty Dollars (\$193,050) plus applicable GST of Thirteen Thousand, Five Hundred and Thirteen Dollars and Fifty Cents (\$13,513.50) to the total of Two Hundred and Six Thousand, Five Hundred and Sixty Three Dollars and Fifty Cents (\$206,563.50) as the most qualified and acceptable of three (3) fee proposals received in accordance with Request for Proposal documents issued by the Purchasing Department and the interview process; and,
- (b) That a contract satisfactory to Corporate Counsel be entered into between the City and the Consultant; and,
- (c) That the Mayor and Acting Municipal Clerk be authorized to execute the contract on behalf of the City.

3. Hamilton Civic Golf Course - Green Fees - Two Hour Post Twilight Rates (CSC00100) (Item 6)

That a two hour post twilight green fee rate be approved for the Hamilton Civic Golf Courses for the 2000 season as follows: King's Forest \$19; Chedoke – Beddoe \$17; Martin \$15.

4. Hamilton Historical Board - Vision, Mission and Revised Mandate (Item 7)

That the Vision, Mission and revised Mandate of the Hamilton Historical Board, attached hereto and marked as Appendix "B", be approved.

5. External Posting for Chef Assistant and Kitchen Helper Position - Dundurn Coach House (CSC00086) (Item 8.1)

- (a) That permission be granted for the General Manager, Community Services Division, to advertise externally to fill the vacant part-time Chef's Assistant and Kitchen Helper positions at the Dundurn Coach House; and,
- (b) That this recommendation be forwarded to the Transition Board for approval.

6. External Posting for Historical Interpreter Positions - Dundurn National Historic Site (CSC00090) (Item 8.2)

- (a) That permission be granted for the General Manager, Community Services Division, to advertise externally to fill two vacant Historical Interpreter positions at Dundurn National Historic Site; and,
- (b) That this recommendation be forwarded to the Transition Board for approval.

7. Amusement Rides in Parks - Parks By-law No. 95-126 (CSC00102) (Item 8.3)

That approval, as required by Parks By-law No. 95-126 and under the standard Terms and Conditions of the Special Events Guidelines, be given to the following organization to hold amusement rides in a park on the following date and time:

North End Children's Centre – Rainbow Festival on July 6-9, 2000 in Woodlands Park from 12:00 noon – 10:00 p.m.

8. Sale of Alcoholic Beverages - Wentworth Adult Slo-Pitch League - Mountain Arena and Turner Park (CSC00091) (Item 8.4)

- (a) That approval be granted to the Wentworth Adult Slo-Pitch League to sell alcoholic beverages in Mountain Arena on July 21 and 22, 2000 from 12:00 p.m. – 1:00 a.m. and on July 23, 2000 from 12:00 p.m. – 8:00 p.m. and at Turner Park on July 22 and 23, 2000 from 12:00 p.m. – 7:00 p.m. by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable Insurance; and,

- (b) That approval for a one-time exception for alcohol advertising be granted to the tournament national sponsor, Molson Breweries in Mountain Arena and Turner Park during the tournament only.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1

CARRIED.

9. Public-Private Partnership - Multi-Pad Arena and Sports Complex - Negotiations with Next Preferred Proponent (CSC00107) (Item 9)

- (a) That the General Manager, Community Services Division, be authorized to cease negotiations with JBK/Arena Corp. Inc.; and,
- (b) That the General Manager, Community Services Division, and the General Manager, Finance, be authorized to enter into Stage 3 of the Request for Proposal process - Negotiations with Rose Technology being the next preferred proponent selected from the Stage 2 - Evaluation of Detailed Responses to the RFP; and,
- (c) That, if in the event negotiations with Rose Technology do not resolve outstanding issues relative to the proposal, that Staff report back to the Parks and Recreation Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - May 1, 2000 (Item 2)

That the Minutes of the Parks and Recreation Committee for its meeting held May 1, 2000 be adopted.

(c) Delegations/Presentations (Item 3)**(i) Presentation of Certificate of Appreciation to the Bay Area Restoration Council for Assistance with Tree Planting on Hamilton Harbour Waterfront Trail (Item 3.1)**

Dr. Mark Sproule-Jones, Stacey Cherwaty and Marilyn Baxter, Bay Area Restoration Council, were presented with a Certificate of Recognition for their assistance in co-ordinating approximately 600 volunteers to plant trees along the Hamilton Harbour Waterfront Trail.

(ii) Hamilton Harbour Commissioners Cheque Presentation for Sponsorship of Benches for the Hamilton Harbour Waterfront Trail (Item 3.2)

Ray Harris, accompanied by Brian Hinkley, Members of the Hamilton Harbour Commissioners, presented the City with a cheque in the amount of \$15,000 for the sponsorship of benches for the Hamilton Harbour Waterfront Trail.

The Hamilton Harbour Commissioners welcomed the opportunity to partner with the City and were thanked for their involvement with this project.

(d) Hamilton Historical Board - Vision, Mission and Revised Mandate (Item 7)

The Hamilton Historical Board was congratulated for its work in this regard.

(e) External Posting for Historical Interpreter Positions - Dundurn (CSC00090) (Item 8.2)

Recommendation (a) was amended to change the words "Dundurn Castle" to "Dundurn National Historic Site".

(f) Sale of Alcoholic Beverages - Wentworth Adult Slo-Pitch League - Mountain Arena and Turner Park (CSC00091) (Item 8.4)

Aldermen Copps and Jackson were recorded as opposed.

(g) Information Items (Item 8.5)

That the following items previously distributed to Members of Committee under separate cover, be received:

(a) General Manager Approved Sport Field Special Events (CSC00103)

(b) School Closure Meeting (CSC00104)

- (c) International Museums Day (CSC00087)
 - (d) King's Forest - Red Hill Creek Remediation (CSC00092)
 - (e) Minor Hockey Program for the Scott Park Community (CSC00105)
 - (f) Hamilton Harbour Waterfront Trail Donations/Services 'In Kind' Update (PWT00109)
 - (g) Supply and Installation of Asphalt Paving at Waterfront Trail, Bayfront Parking Lot and Harbourfront Drive (PWT00121)
 - (h) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meeting held May 1, 2000
 - (i) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meetings held May 29 and June 3, 2000
 - (j) New Mum Show Sub-Committee - Minutes of Meetings held April 6 and April 27, 2000
- (h) **Request for Information on the Royal Botanical Gardens** (Item 10 - New Business)
- Bernice Price, member of the Hamilton Senior's Council, indicated that she received some comments following a recent visit to the Royal Botanical Gardens on why citizens of the Region have to pay for admittance to the RBG when the Region gives the RBG a considerable grant each year. The Committee agreed to refer this request for information to the Region's Finance and Administrative Services Committee for a response to Mrs. Price.
- (i) **Public-Private Partnership - Multi-Pad Arena and Sports Complex - Negotiations with Next Preferred Proponent (CSC00107)** (Item 9)

The Committee moved in camera to discuss a matter of potential litigation.

The Committee reconvened in open session and amended subsection (c) of Report CSC00107 to read as follows:

- (c) That, if in the event negotiations with Rose Technology do not resolve outstanding issues relative to the proposal, that Staff report back to the Parks and Recreation Committee.

The main motion as amended, was carried.

Note: The meeting of the Parks and Recreation Committee adjourned at 2:20 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
June 19, 2000**

**Appendix "A" as referred to in Section 1(a)
of Report 08-00 and the Minutes of the Parks and
Recreation Committee for its meeting held June 19, 2000**

Reciprocal Use of Facilities

The following is a template for an all inclusive reciprocal use agreement between the Hamilton Wentworth District School Board of Education (the "Board") and the municipalities of the Wentworth Region.

For the implementation of this agreement on September 1st, 2000 and for the purposes of this agreement ONLY, the City Hamilton, the City of Stoney Creek, the Town of Flamborough, the Town of Ancaster, the Township of Glanbrook and the Town of Dundas shall be identified as one entity (the "City").

Commencing January 1st, 2001, this agreement shall be between the Hamilton Wentworth District School Board (the "Board") and the City of Hamilton ("the City").

Please note that this agreement is subject to adoption by the Municipal Councils for the City of Hamilton, the City of Stoney Creek, the Town of Flamborough, the Town of Ancaster, the Township of Glanbrook and the Town of Dundas at their respective May meeting(s), and acceptance by the Transition Board for the new City of Hamilton.

Whereas the City owns and operates recreation centres that are attached to the schools owned by the Board;

And whereas the City owns and operates recreation facilities that are NOT associated with any specific school owned by the Board;

And whereas the Board owns and operates gymnasias located within schools owned by the Board;

And whereas both the City and the Board utilize the services and facilities of the other party;

And whereas the parties wish to enter into an Agreement to equalize the cost of the services and facilities provided by each party;

And whereas Section 183 of the Education Act, R.S.O. 1990, chapter E.2 authorizes a School Board to enter into an agreement with a municipality for the purpose of establishing and providing for the maintenance and operation of facilities on the property of the parties to such an agreement, for such cultural, recreational, athletic, educational, administrative or other Community purpose;

Now therefore, this agreement witnesseth that, in consideration of the covenants and Agreements herein, the parties agree as follows:

1. The Board agrees to provide the facilities with the exception of those listed on Schedule 'A' to the City at the rates and level of service hours on Schedule 'B'.
2. The City agrees to provide the facilities with the exception of those listed on Schedule 'A' to the Board at the rates and level of service hours on Schedule 'B'.
3. The Board shall provide to the City, a comprehensive list of dates and times available at school facilities, by the third Monday of June for the following September to June school year.
4. The City shall provide to the Board, a comprehensive list of dates and times available at the municipal facilities, by the second Monday of September for that school year.
5. The Board shall have the right to use the municipal facilities, with the exception of those listed on Schedule 'A', during the school hours (8:00 a.m. to 6:00 p.m.). The Board shall give the City a

monthly schedule of the Board's intended use of the Centres at least 10 days before the end of the month proceeding the use period.

6. In those Recreation facilities containing a pool, the City will provide one (1) lifeguard in accordance with the Health Protection and Promotion Act during the Board's use
7. Please note that the usage of Municipal Pools is also predicated on the availability of a qualified lifeguard(s). Additional guards (required for more than 20 participants) are subject to availability and a separate charge. It is understood that lifeguards are specialized entities required by Provincial Statute governing public pools, and as lifeguards are a part-time position with the Department of Parks and Recreation, their availability cannot be guaranteed.
8. The City shall have the right to use the gymnasias of the Board's schools, with the exception of those listed on Schedule 'A', evenings (6:00 P.M. – 10:00 P.M.) on Monday to Friday and on weekends for the hours and duration set out on Schedule 'B'. The City shall give the Board a monthly list of the City's intended use of the Board's facilities at least 10 days before the end of the month proceeding the use period.
9. It is understood and accepted, that on occasion, school programming and maintenance may necessitate delayed start to the City's program to a particular school facility; further, City programming and maintenance may necessitate delayed start to school usage of a particular municipal facility. If possible, prompt and courteous notice of five (5) business days through and to the involved school principal, the involved facility manager, and the Accommodations and Planning Department is requested.
10. Either party may cancel and/or withdraw the availability of any particular facility from the other upon prompt and courteous notice of five (5) business days through and to the involved school principal, the involved facility manager and Accommodation and Planning Department.
11. Both parties owe its own duty of care to all invited or uninvited persons on its premises. As such, each party will take all reasonable efforts to protect its property, premises and patrons. Associated costs are the direct responsibility of the property owner and, where agreed in writing be accounted for when balancing the exchange of service.
12. Each party agrees to keep records on the use of that party's facilities by the other.
13. In the event one party does not utilize all the services as listed in Schedule 'B', no credit shall be given to that party by the other party.
14. The Agreement shall commence on September 1st, 2000, and shall be terminated on August 31st, 2001, and shall contain an option for the three (3) year renewal of the agreement until August 31st, 2003. This renewal option is subject to the approval of both parties elected bodies and reviewed annually.
15. The City may make regulations on the use of the recreation facilities. The City will provide the Board with a copy of these regulations *on the same schedule as outlined in #3.*
16. The Board may make regulations on the use of the school facilities. The Board will provide the City with a copy of these regulations on the same schedule as outlined in #3.
17. Any party requiring services of facilities greater than shown on Schedule 'B' shall request the services from the other party and be advised whether the service or facility is available and the cost of the service or facility.
18. The parties agree that the rates shown on Schedule 'B' will remain constant until August 31st, 2001. After such time, the parties agree that the rates shown on Schedule 'B' may change, and agree it shall

give annual price settings as both parties are bound by budgets. If the parties fail to negotiate an agreement as to the prices, the other party may specify a change in services requested or may cancel this Agreement under the provision of Article.

19. The Board agrees to indemnify and save harmless the City from any and all claims, demands, actions, suites or proceedings that may arise out of the Board's use of the City's facilities unless caused by the negligence of the City.
20. The City agrees to indemnify and save harmless the Board from any and all claims, demands, actions, suites or proceedings that may arise out of the City's use of the City's facilities unless caused by the negligence of the Board.
21. Either of the parties may terminate this Agreement on six (6) month's notice to the other party.
22. This Agreement shall be governed by, and construed under the laws of the Province of Ontario.
23. No amendment, modification or supplement to the Agreement shall be valid or binding unless set out in writing and executed by the parties hereto.
24. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter thereof. The Board acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty of the City except as set out in this Agreement.
25. In construing this Agreement, words in the singular shall include the plural, and vice versa, and words importing the masculine shall include the feminine, the neuter and vice versa, and words importing persons shall include corporations and vice versa.
26. This Agreement shall ensure to the benefit or, and be finding upon, each of the parties hereto, and each of their respective successors and assigns.
27. The parties agree to respect applicable provincial and local laws and statutes; and local Collective Agreements, policies and procedures
28. This agreement will be expanded to include the use of fields for the Summer 2001.
29. Any notices required or permitted to be given hereunder shall be sufficiently given if delivered or mailed by pre-paid registered mail as follows:

If to the City:

The City Clerk
The Corporation of the City of Hamilton
City Hall
71 Main Street West, P. O. Box 2040
HAMILTON, Ontario

Appendix "B" as referred to in Section 4
of Report 08-00 and the Minutes of the Parks and
Recreation Committee for its meeting held June 19, 2000

HAMILTON HISTORICAL BOARD

VISION

We will be recognized as community leaders in fostering appreciation and enjoyment of our cultural heritage for present and future generations.

MISSION

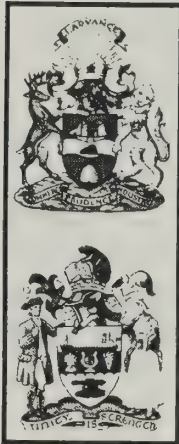
The Hamilton Historical Board, a volunteer advisory body, is dedicated to conserving and celebrating our communities' cultural heritage by creating and enhancing our living and learning environments.

March 1, 2000

MANDATE-HAMILTON HISTORICAL BOARD

1. To advise and recommend to the Parks and Recreation Committee on policy matters pertaining to the evaluation, acquisition, development, operation, maintenance and disposition of municipal museums, their grounds, structures and collections.
2. To advise and recommend action to the Parks and Recreation Committee on matters concerning our communities prehistoric and historic heritage.
3. To celebrate events, individuals, structures, and properties in our communities of historical significance and interest.
4. To promote public appreciation of our common historical heritage.
5. To promote heritage conservation and to initiate special projects designed to encourage public awareness of and enjoyment in prehistoric and historic heritage of our communities.
6. To promote broader understanding of the principles and practices of heritage conservation.
7. To encourage the preservation of our communities' documentary heritage, including written records, photographs, maps, architectural drawings, film footage, sound recordings, and documentary art.
8. To liaise with other historical groups and agencies, both within and outside our community and to operate joint programs where feasible.

Revised March 1, 2000



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday June 21, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman A. Horwath, Alderman D. O'Sullivan, L. Coveyduck, P. Mallard, P. Mason, B. Janssen, G. Paparella, J. Hickey-Evans, T. Redmond, E. Switinky, N. Smith, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 12-00 AND RESPECTFULLY RECOMMENDS:

1. **ZAC-99-36 and SAC-99-04 "Scenic Park South", and Official Plan Amendment for lands located south of Chedmac Drive and east of Magnolia Drive (PDC00116) (Item 2.1)**
 - A. That approval be given to Official Plan Amendment No. 166, for lands located south of Chedmac Drive and east of Magnolia Drive for the following changes:
 - (a) A change in designation on Schedule "A" – General Land Use Concept of the City of Hamilton Official Plan to revise the boundary between the Residential and Open Space designations to reflect the proposed reconfiguration of the park and residential uses; and,
 - (b) A change in designations on Schedule J-1 "Chedmac Planning Area Secondary Plan" for changes to the density mix, road pattern and land use boundaries for the Major Institutional,

Residential and Open Space designations in accordance with the proposed plan of subdivision "Scenic Park South".

- B. That approval be given to Subdivision Application 99-04, (Regional File No. 25T-99009), Starward Homes Ltd., prospective owner to establish a draft plan of subdivision "Scenic Park South", on lands located south of Chedmac Drive and east of Magnolia Drive in the Mountview Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:
- (a) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke and Associates Limited and certified by B.J. Clarke, O.L.S., dated April 25, 2000, showing 117 single-detached dwellings, 40 street townhouse units, 156 block townhouse units, 1 block for a public walkway and to establish 4 streets, attached as Appendix "B";
 - (b) That the applicant/owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
 - (c) That the streets be named based on the City of Hamilton reserved street name index to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth;
 - (d) That the applicant/owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
 - (e) That the final plan conform with the Zoning By-law approved under the Planning Act;
 - (f) That the applicant/owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan;
 - (g) That the applicant/owner dedicate Block 122 to the City of Hamilton for parkland as provided for under Section 51 of the Planning Act;
 - (h) That the applicant/owner dedicate Block 121 as a public walkway to the City of Hamilton and that the applicant/owner provide for landscaping within the public walkway to the satisfaction of the Co-ordinator, Park

Development and Maintenance Section, Department of Public Works and Traffic;

- (i) That Block 118 not be developed until such time as the lands have been assembled to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (j) That the applicant/owner carry out an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found.

No demolition, grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Citizenship, Culture & Recreation confirming that all archaeological resource concerns have met licensing and resource conservation requirements;

- (k) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (l) That the applicant/owner submit a Servicing Study to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (m) That reconstruction and realignment of Chedmac Drive as noted in the approved Mountview Neighbourhood plan and the realignment of Chedmac Drive be implemented upon the direction of the Land Development Director;
- (n) That the Final Plan not be registered until the applicant/owner satisfies all the conditions of approval of City of Hamilton Land Severance Application B-99:82. These conditions of approval cover all roadway and land dedications for street widenings, servicing costs, etc.;
- (o) That the applicant/owner pay all outstanding land and servicing costs, etc. to the City of Hamilton and the Region of Hamilton-Wentworth. This is required in order that the City of Hamilton can pass the appropriate By-law to incorporate the .30m reserve, shown as part of Block "C" on Plan No. M-84, adjacent to Magnolia Drive, into the public highway;

- (p) That the 0.30m reserve previously incorporated into the Magnolia Drive road allowance and shown on the submitted plan, be revised to the satisfaction of the General Manager, Transportation, Operation and Environment Division;
- (q) That the driveway locations on Lots 18 to 24 inclusive, Lots 32, 33, 42 to 44 inclusive, Lots 45 to 51 inclusive, Lots 104 to 108 inclusive and Lots 115 to 117 inclusive be to the satisfaction of the General Manager, Transportation, Operations and Environment Division and be shown on the approved engineering drawings;
- (r) That the radius of the street line out of the cul-de-sac bulb adjacent to Lot 99 must be a minimum of 9m;
- (s) That the beginning of curve and end of curve of the horizontal curves on the west leg of Street "A", the tangent between the reverse curves and the tangent to the east-west leg of Street "A" must be to the satisfaction of the General Manager of the Transportation, Operation and Environment Division and must be shown on the plan;
- (t) That the phasing of development be to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (u) That the radius of Street "A" adjacent to Lots 115 to 117 and at the east limit of Street "A", adjacent to Block 120 must be shown on the plan;
- (v) That the limits of Street "A" (east leg), immediately south of Chedmac Drive and included in the Extendicare Severance be amended due to the change in alignment of Street "A" on this draft plan submission;
- (w) That the limits of Street "A" in the "Extendicare Block" align centreline to centreline with the limits of Street "A" on this draft plan;
- (x) That all lots with daylight triangles must maintain a minimum frontage of 4.5m outside of the daylight for driveway purposes. Driveways are not permitted to cross the daylight triangles;
- (y) That the subdivision plan not be registered until the

Mountview Neighbourhood Plan has been revised to reflect the revised road pattern and land use designations; and,

- (z) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the City/Region prior to development of any portion of these lands.
- C. That funding for the acquisition of land required for park purposes in accordance with the approved Mountview Neighbourhood Plan, as revised to reflect the proposed plan of subdivision "Scenic Park South", for the amount of land that exceeds the 5% land dedication requirement, being approximately 7,580 m² (1.87 ac) of land, in accordance with Section 51 of the Planning Act and the City of Hamilton Official Plan, be forwarded for consideration in the 2001 Capital Budget.
- D. That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SA-99-04/25T-99009), "Scenic Park South", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- E. That the Acting Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision.
- F. That approval be given to Zoning Application ZAC-99-36, Starward Homes Ltd., prospective owner, for a changes in zoning for lands located south of Chedmac Drive and east of Magnolia Drive, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (a) That Block "1" be rezoned from "A" (Conservation, Open Space, Park and Recreation) District to "R-4" (Small Lot Single Family Dwelling) District;
 - (b) That Block "2" be rezoned from "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That Blocks "3" and "16" be rezoned from "C" – 'H' (Urban Protected Residential, etc. – Holding) District to "C" (Urban Protected Residential, etc.) District;

- (d) That Blocks "4" and "7" be rezoned from "C" – 'H' (Urban Protected Residential, etc. – Holding) District to "R-4" (Small Lot Single Family Dwelling) District;
- (e) That Block "5" be rezoned from "C" – 'H' (Urban Protected Residential, etc. – Holding) District to "A" (Conservation, Open Space, Park and Recreation) District;
- (f) That Block "6" be rezoned from "RT-20" – 'H' (Townhouse – Maisonette – Holding) District to "A" (Conservation, Open Space, Park and Recreation) District;
- (g) That Block "8" and "9" be rezoned from "RT-20" – 'H' (Townhouse – Maisonette – Holding) District to "C" (Urban Protected Residential, etc.) District;
- (h) That Blocks "10" and "11" be rezoned from "RT-20" – 'H' (Townhouse – Maisonette – Holding) District to "R-4" (Small Lot Single Family Dwelling) District;
- (i) That Block "12" be rezoned from "DE-3" (Multiple Dwellings) District to "RT-30" (Street Townhouse) District;
- (j) That Block "13" be rezoned from "RT-20" – 'H' (Townhouse – Maisonette – Holding) District to "RT-30" (Street Townhouse) District;
- (k) That Block "14" be rezoned from "C" – 'H' (Urban Protected Residential, etc. – Holding) District to "RT-20" (Townhouse – Maisonette) District; and,
- (l) That Block "15" be rezoned from "RT-20" – 'H' (Townhouse – Maisonette – Holding) District to "RT-20" (Townhouse – Maisonette) District.
- (m) That the "C" (Urban Protected Residential, etc.) District, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "16", as referred to in Section F(iii) be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 9.(1), Subsection 18.(4) and Subsection 18.(13) of Zoning By-law No. 6593, no building or structure, except a fence, shall be permitted;
- (n) That Subsection 2(b) of By-law No. 96-152 be deleted in its entirety;

- (o) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-43a and W-37 for presentation to City Council;
- (p) That the amending By-law applicable to Blocks 15 and 16 be added to Section 19B of Zoning By-law No. 6593 as Schedule S – 1363b, and that the subject lands on Zoning District Maps W-43a and W-37 be notated as S – 1363b;
- (q) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the proposed Official Plan Amendment No. 166 by the Region of Hamilton-Wentworth;
- (r) That upon finalization of the implementing zoning by-law, that the approved Mountview Neighbourhood Plan be amended to revise the road pattern as shown on the proposed plan of subdivision “Scenic Park South” (attached as Appendix “B”) and to revise the land use designations for the following blocks (as shown on APPENDIX “A”) on the following basis:

Blocks 1 & 2:	-	From “Park and Recreational” to “Single and Double” Residential;
Block 5	-	From “Single and Double” Residential to “Open Space”;
Block 6	-	From “Low Density Housing” to “Open Space”;
Blocks 8, 9, 10, 11	-	From “Low Density Housing” to “Single and Double” Residential;
Block 12	-	From “Institutional” to “Attached Housing”;
Block 13	-	From “Civic and Institutional” to “Attached Housing”; and,
Block 14	-	From “Single and Double” Residential to “Low Density Housing”.

2. ZAR-00-10, 544 Limeridge Road East (PDC00108) (Item 2.2)

That approval be given to Zoning Application ZAR-00-10, M.C.G.W. Properties Corp., owner, for a modification to the established "HH" (Restricted Community Shopping and Commercial) District regulations, to permit a car wash within a portion of the existing building and a proposed addition, for lands located at No. 544 Limeridge Road East, as shown on the attached Map marked as APPENDIX "C", on the following basis:

- (a) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A. of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - (i) Notwithstanding Section 14A.(1)(d) and Section 14.(1)(xviii), a mechanical and/or manual car wash shall be permitted with a maximum floor area of 882 m² and more than one bay or stall may be utilized.
 - (ii) Notwithstanding Section 14A.(3)(b) and Section 18.(3)(ivc)(a), an easterly side yard setback of at least 1.0 m shall be provided and maintained.
 - (iii) Notwithstanding Sections 14A.(3)(c) and 18.(3)(ivc)(a), a rear yard of a depth of at least 4.5 m shall be provided and maintained for a car wash kiosk with a maximum floor area of 4.7 m².
 - (iv) Sections 18.(3)(ivc)(b) and 18.(3)(ivc)(c) shall not apply.
 - (v) Notwithstanding Section 18A.(1)(d), a minimum of one loading space having minimum dimensions of 9.0 m long x 3.7 m wide x 4.5 m high shall be provided and maintained.
 - (vi) A landscaped area with a minimum width of 1.0 m shall be provided and maintained within the required minimum 1.0 m easterly side yard.
 - (vii) A landscaped area with a minimum width of 1.0 m shall be provided and maintained along the entire southerly rear lot line.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1448, and that the subject lands on Zoning District Map E-27B be notated S-1448.
- (c) That Corporate Counsel be authorized and directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-27B for presentation to City Council.

- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. ZAR-00-14, 81 Christie Street (PDC00114) (Item 2.3)

That approval be given to Zoning Application 00-14, Ashok & Virbala Kumar, owner, requesting a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, for property located at 81 Christie Street, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the land be rezoned from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the Director, Land Development Department, Community Planning and Development Division be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E in a form satisfactory for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4. ZAR-00-16, 1472 Upper Gage Avenue (PDC00104) (Item 2.4)

That approval be given to Zoning Application ZAR-00-16 – 1472 Upper Gage Avenue, John and Barbara Crockett, owners, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, for property located at the rear of 1472 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District;
- (b) That the Director, Land Development Department, Community Planning and Development Division, be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

5. Demolition of 19 Division Street (PDC00109) (Item 4.1)

That the Acting Director of Building be authorized to issue a demolition permit for 19 Division Street in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

6. Demolition of 322 Lake Avenue North (PDC00110) (item 4.2)

That the Acting Director of Building be authorized to issue a demolition permit for 322 Lake Avenue North in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

7. Demolition of 120 Catharine Street South (PDC00111) (item 4.3)

- (a) That subject to the requirements below, the Acting Director of Building be authorized to deny an application for a demolition permit for the building located at 120 Catharine Street South in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec. 33); and,
- (b) That the Acting Director of Building be authorized to issue a demolition permit for the building located at 120 Catharine Street South where the applicant has applied for and received the required zoning amendment and the required site plan approval from the Community Planning and Development Division and the site plan agreement has been registered on title.

8. Demolition of 928 Burlington Street East (PDC00112) (Item 4.4)

That the Acting Director of Building be authorized to issue a demolition permit for 928 Burlington Street East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. Amended Condition of Approval for Rental Housing Protection Act, Application CD-97-006 for 23-25 Macauley Street West (PD00001A) (Item 4.5)

- (a) That, notwithstanding Section 1.(a)(iv)(2), of the Second Report for 1998 of the Planning and Development Committee, the conditional approval given by City Council on January 27, 1998 of Rental Housing Protection Act Application CD-97-006 for 23-25 Macauley Street West, as shown on the attached map marked as APPENDIX "F", shall not have ceased on January 27, 2000; and,

- (b) That Section 1. of the Second Report for 1998 of the Planning and Development Committee, respecting Rental Housing Protection Act Application CD-97-006 for 23-25 Macauley Street West, as shown on the attached map marked as APPENDIX "F", approved by City Council on January 27, 1998, be amended by deleting clause 1.(a)(iv)(2) in its entirety and replacing it with the following:

"1.(a)(iv)(2) by December 31, 2000, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,".

10. Core Heritage 2000 Program, 14 Hess Street South (HSB00009) (Item 4.6)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of eleven thousand, one hundred and sixty-five dollars (\$11,165) to Hess Village Enterprises, registered owner of 14 Hess Street South, be approved.

11. Authorization to advertise externally for Candidates to fill the position of "Heritage Planner" (PDC00113) (Item 4.7)

- (a) That the General Manager of the Planning and Development Division be authorized to advertise externally for qualified candidates to fill the position of Heritage Planner; and,
- (b) That this matter be forwarded to the Transition Board for approval.

12. Tax Incentive Program Extension – Commercial/Industrial Heritage Buildings in the Central Area (PDC00101) (Item 5.1)

That the Tax Incentive Program for designated commercial and industrial buildings be extended to include the Central Area in accordance with the eligibility criteria and requirements contained in APPENDIX "G".

13. Waiving of fees for 73 Garfield Avenue (Item 6)

That the Building, Park Dedication and Condominium application Fees be waived for the property located at 73 Garfield Avenue. **LOST.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Morelli, Haining, Eisenberger, Jackson, Kelly. –6.

NAYS: Aldermen Kiss, Caplan, Horwath, Corsini, Copps, Wilson, Collins, Charters, Anderson, D'Amico, O'Sullivan. –11. **LOST.**

14. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-030 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 12-14 Brantdale Avenue.
- (b) C-031 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 801 and 803 King Street West and 80, 86 and 90 Carling Street.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2 .

CARRIED.

- (c) C-032 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located East of Glancaster Road, West of Hawkswood Trail at the Westerly Limits of Falconridge Drive and South of Rymal Road West.
- (d) C-033 A By-law to amend Zoning By-law No. 6593 As Amended by Zoning By-law No. 93-1623 Respecting Lands Located at Municipal Nos. 89-91 Vine Street.
- (e) C-034 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at 81 Christie Street.
- (f) C-035 A By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1015 Main Street West.
- (g) C-036 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 1015 Main Street West.
- (h) C-037 A By-law to Remove Land Within the "Wisemount Estates, Phase 10" Subdivision, Plan 62M-889 from Part Lot Control.
- (i) C-038 A By-law to Remove Land Within the "Claudette Gardens, Phase 6" Subdivision, Plan 62M-796 and "Domvir Estates, Phase 1, Subdivision, Plan 62M-861 from Part Lot Control.
- (j) C-039 A By-law to amend Zoning By-law No. 6593 As Amended by Zoning By-laws No. 88-135 and 90-145 Respecting Lands Located at Municipal Nos. 1489-1523 Upper James Street.

SCHEDULE "A" AMENDED.

15. That the policy issue with respect to incentives such as waiving of the building, park development and condominium application fees for the redevelopment of derelict buildings be referred to the Planning and Development Committee. **ADDED.**

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

**(b) Adoption of Minutes – May 24, 2000 (Item 3.1)
May 30, 2000 (Item 3.2)**

The Minutes of the meeting held May 24, 2000 were adopted.

The Minutes of the meeting held May 30, 2000 were adopted.

(c) ZAC-99-36 and SAC-99-04 “Scenic Park South”, and Official Plan Amendment for lands located south of Chedmac Drive and east of Magnolia Drive (PDC00116) (Item 2.1)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

The proponents were present in favour of the recommendation.

Paul Mallard gave a brief overview of the report. He noted that in order to complete the park the owner will be required to provide 1.8 acres more than that required as a parkland dedication and as such it will be recommended in the Capital budget for 2001.

Neighbours concerns regarding loss of sunlight and privacy have been addressed by the owner by tailoring back the building as it approaches the property limits and as such there is no need to retain the one and a half storey height limitation.

He continued by stating that there are 3 technical amendments being proposed.

In response to a question from Mr. Jim Cakebread of 665 Bendamere Avenue, Mr. Mallard advised that there will be an entrance to the property from Magnolia Drive.

The Committee approved the report of the General Manager, Community Planning and Development Division dated June 6 as amended to incorporate the technical changes.

(d) **ZAR-00-10, 544 Limeridge Road East (PDC00108)** (Item 2.2)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the application. Of 20 notices circulated 1 replied in favour and 1 opposed.

The proponents were present in support of the application.

* Alderman Copps was recorded as opposed to the main motion.

(e) **ZAR-00-14, 81 Christie Street (PDC00114)** (Item 2.3)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard reviewed the report for the Committee. Of 43 notices circulated 2 replied in favour and 6 opposed.

The proponents were present in favour of the recommendation.

(f) **ZAR-00-16, 1472 Upper Gage Avenue (PDC00104)** (Item 2.4)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard reviewed the report for the Committee. Of 89 notices circulated 5 replied in favour and 0 opposed.

The proponents were present in favour of the recommendation.

(g) **Re-zoning for the South East Corner of Sanatorium Road and Scenic Drive ZAC-00-17 (PDC00105) (Item 2.5)**

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

The proponents were present in favour of the recommendation.

The following submissions were received:

- (i) Mr. and Mrs. Viasticopoulos, 4 Gem Court, Hamilton, L9C 7S4
- (ii) Mr. and Mrs. Gerald Hladun, 103 West 35th Street, Hamilton
- (iii) Shirley Fawcett, Christy Rawson, Ida Smith, 69 West 35th Street, Hamilton, L9C 5K7 (including area residents petition).

Paul Mallard reviewed the report for the Committee. Of 56 notices circulated 4 replied in favour and 12 opposed.

Mr. Mallard added that the proponents have agreed to retain the existing walkway and that the recommendation is permitting the adaptive re-use of the building only. Any extension or addition would require further approval.

Danny Rawson of 148 West 35th Street was present and stated concerns regarding the parking lot, the grounds, the walkway and the severance. He was also concerned with increased traffic and noise.

Bob Donnell of 157 West 35th Street was concerned that the previous nurse's residence housed 140 students and this residence will house 250 students.

Jack Roser of 93 West 35th Street was concerned with the roads and sidewalks not being able to accommodate the added traffic.

Brenda Khes, agent on behalf of the proponent, stated that there will be no changes to the parking lot at this time.

Mr. Jim Campbell of Columbia College advised that the students are generally extremely well behaved as the school is costly and the students must maintain their grades in order to enter university. He added that there is a strict disciplinary system that allows the college to expel them from school and have their student visa revoked. He added that the College is looking to relocate on the escarpment in the future.

Alderman D'Amico stated that is the ward aldermen's intention to hold a neighbourhood meeting on this matter and that therefore the matter should be tabled.

Alderman O'Sullivan concurred.

Alderman Caplan and the Mayor advised that the College has been a good corporate citizen and an asset to the community. They hoped the College would expand in the lower city.

Following discussion the Committee resolved that the report of the General Manager, Community Planning and Development Division dated June 6, 2000 be tabled to the Committee of the Whole meeting of July 4, 2000 for a neighbourhood meeting to take place.

- (h) Residential Care Facilities, Long Term Care Facilities and Correctional Facilities (PDC00102) (item 5.2)

Joanne Hickey Evans gave the Committee a PowerPoint presentation. She advised that the research is the first phase and the second phase will be a public participation process. She noted an error in the amount of beds referred to for the Kirkendall neighbourhood that should be 22 beds and not 122 beds.

A discussion ensued regarding facilities that are considered office use by the fact that the clients do not sleep there.

A discussion also ensued regarding the large number of legal non-conforming uses.

Following discussion the following recommendation was approved:

- (a) That the report titled *Residential Care Facilities, Long Term Care Facilities, and Correctional Facilities - The Past, Present and Future Planning Policies* be received and the staff of the Community Planning and Development Division be directed to hold information meetings with various service providers and interest groups.
- (b) That the report titled *Residential Care Facilities, Long Term Care Facilities, and Correctional Facilities - The Past, Present and Future Planning Policies* be forwarded to the Environmental Services Committee for information.

- (i) **Site Plan Control Application DA-00-07 for the demolition of the former Eaton's store and relocation of the existing Fortino's grocery store at 75 Centennial Parkway North (Eastgate Square) (PDC00115) (Item 5.3)**

Paul Mallard gave a brief overview of the report. He advised that the area residents' concerns regarding traffic, building design, and landscaping have been addressed by the proponents. Truck access will be from Centennial Parkway. The façade will be treated with stucco, and there will be extensive landscaping.

In response to a question from Alderman Copps, Mr. Redmond advised that Fire access is required prior to the issuance of a building permit.

Following discussion the Committee approved the recommendation of the General Manager, Community Planning and Development Division dated June 5, 2000 as follows:

That approval be given to Site Plan Control Application DA-00-07, Cadillac Fairview, owner for lands located at 75 Centennial Parkway North (Eastgate Square), to permit the demolition of the former Eaton's store and construction of a new 8,135 m² (87,570 sq.ft.) Fortino's grocery store, as shown on the attached map marked as APPENDIX "H", subject to the following:

- (a) modification to plans in relation to notes and dimensions, as marked in red on the plans;
- (b) submission of a revised landscaping plan to the satisfaction of the Director, Land Development Department;
- (c) submission of a revised grading plan to the satisfaction of the Director, Land Development Department;
- (d) that the applicant enter the necessary agreements with the City of Hamilton for the roadway alterations required on Delawana Drive;
- (e) that the applicant dedicate to the City of Hamilton any lands required for road widening purposes of Delawana Drive as a result of the proposed roadway improvements to maintain the Utilities in their respective corridors, maintain the municipal sidewalks and side sloping, etc. within the road allowance;
- (f) that the applicant enter into an encroachment agreement with the City of Hamilton for the existing and proposed landscaped

berms and trees within the Delawana Drive and Kenora Avenue road allowances;

- (g) that the applicant receive final approval of Committee of Adjustment Application A-00:24 from the Ontario Municipal Board for relief from the provisions of the City of Hamilton Zoning By-law No. 6593, as amended by By-law No. 71-97, or for a Zoning By-law amendment, to permit the construction of the new Fortino's grocery store and the reconfiguration of the parking, driveway and landscaped areas;
- (h) that the applicant pay all costs associated with the removal and replacement of the existing trees within the Delawana Drive road allowance that are to be removed as a result of the roadway alterations and new access driveway, to the satisfaction of Superintendent, Forestry and Project Development, Public Works and Traffic;
- (i) That the applicant close Site Plan Control Application DA-98-44, being the previously approved site plan to permit a 2,300 m² (24,000 sq.ft.) expansion of the existing Fortino's grocery store located at Eastgate Square, and,
- (j) That the Acting Clerk be directed to advise the Ontario Municipal Board as to City Council's decision with respect to Site Plan Control Application DA-00-07.

* Alderman Copps opposed to the main motion.

(j) **DELEGATION**

Waiving of fees for 73 Garfield Avenue (Item 6)

Sergio Manchia of Planning Initiatives and Anthony DiCenzo, solicitor, were present on behalf of ICON holdings, owner of 73 Garfield Avenue in order to request waiving of fees similar to those under the Open for Business area in the downtown core.

Mr. Manchia stated that the building is an adaptive re-use to 10 Condo loft apartments.

Mr. DiCenzo added that the building requires substantial repair and renovation. The Condo units can only be sold for a price that the market will bear.

Alderman Caplan stated that the Lofts at Dundurn should be given the same consideration if this request is approved.

Lee Ann Coveyduck advised that if the intention is to expand the Open for Business Policy area, An amendment to the Community Improvement Plan will be required and this will take approximately 6 months.

Alderman Eisenberger and the Mayor suggested that this request be approved as an individual case.

Alderman Copps stated that approval of this request will be deemed as bonusing which is illegal.

Alderman Horwath stated that the expansion of the Open for Business area will deteriorate the purpose to which the area was created in the first place, being re-development in the down town core.

Alderman Haining supports the request and stated that the residents support it. He added that fees to be waived amount to \$9,000.

The Committee adjourned into closed session to seek legal advice on this matter and reconvened immediately thereafter with a report.

A motion was placed on the floor to table the matter and was defeated.

A motion to waive the fees for 73 Garfield was placed on the floor and carried on a recorded vote as follows:

Recorded Vote on the main motion:

Yeas: Mayor Morrow, Aldermen Corsini, Haining, Eisenberger, Kelly -5

Nays: Aldermen D'Amico, Copps, Caplan-3 **Carried**

(k) OTHER BUSINESS

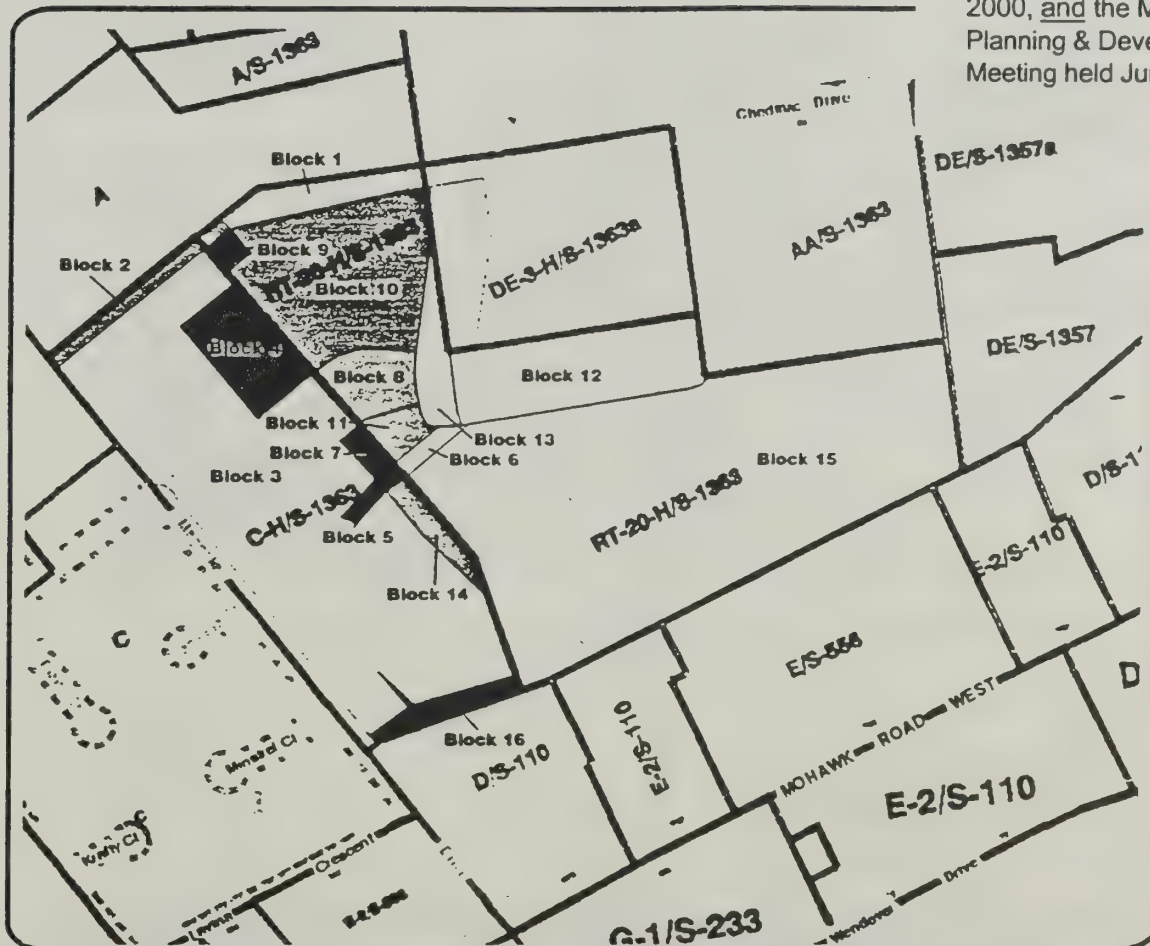
The Mayor requested that Planning Staff draft a proposed program for development of small businesses in the downtown core.

Note: The meeting of the Planning and Development Committee adjourned at 12:25 p.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
June 21, 2000**

Appendix "A" referred to in Section 1 of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.



City of Hamilton

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Change in zoning from:

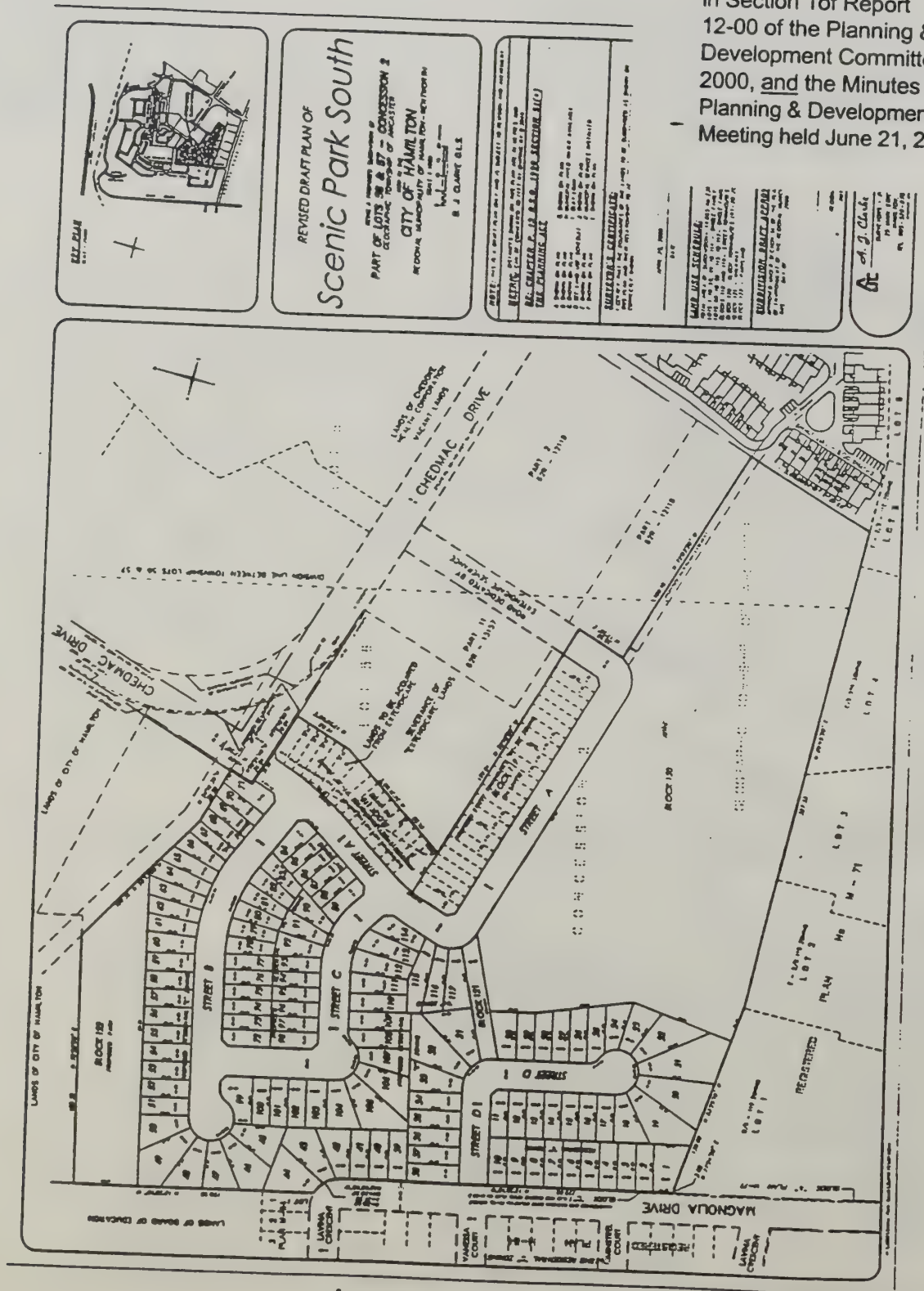
1	"A" (Conservation, Open Space, Park and Recreation) District to "R-4" (Small Lot Single Family Dwelling) District	9	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "C" (Urban Protected Residential, etc.) District
2	"A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District	10	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "R-4" (Small Lot Single Family Dwelling) District
3	"C" - "H" (Urban Protected Residential, etc.) District to "C" (Urban Protected Residential, etc.) District	11	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "R-4" (Small Lot Single Family Dwelling) District
4	"C" - "H" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District	12	"DE-3" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District
5	"C" - "H" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District	13	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "RT-30" (Street - Townhouse) District
6	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "A" (Conservation, Open Space, Park and Recreation) District	14	"C" - "H" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District
7	"C" - "H" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District	15	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "RT-20" (Townhouse - Maisonette) District
8	"RT-20" - "H" (Townhouse - Maisonette - Holding) District to "C" (Urban Protected Residential, etc.) District	16	"C" - "H" (Urban Protected Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, mod.

Reference file: SA-99-04/ZA-99-39 Date: May, 2000

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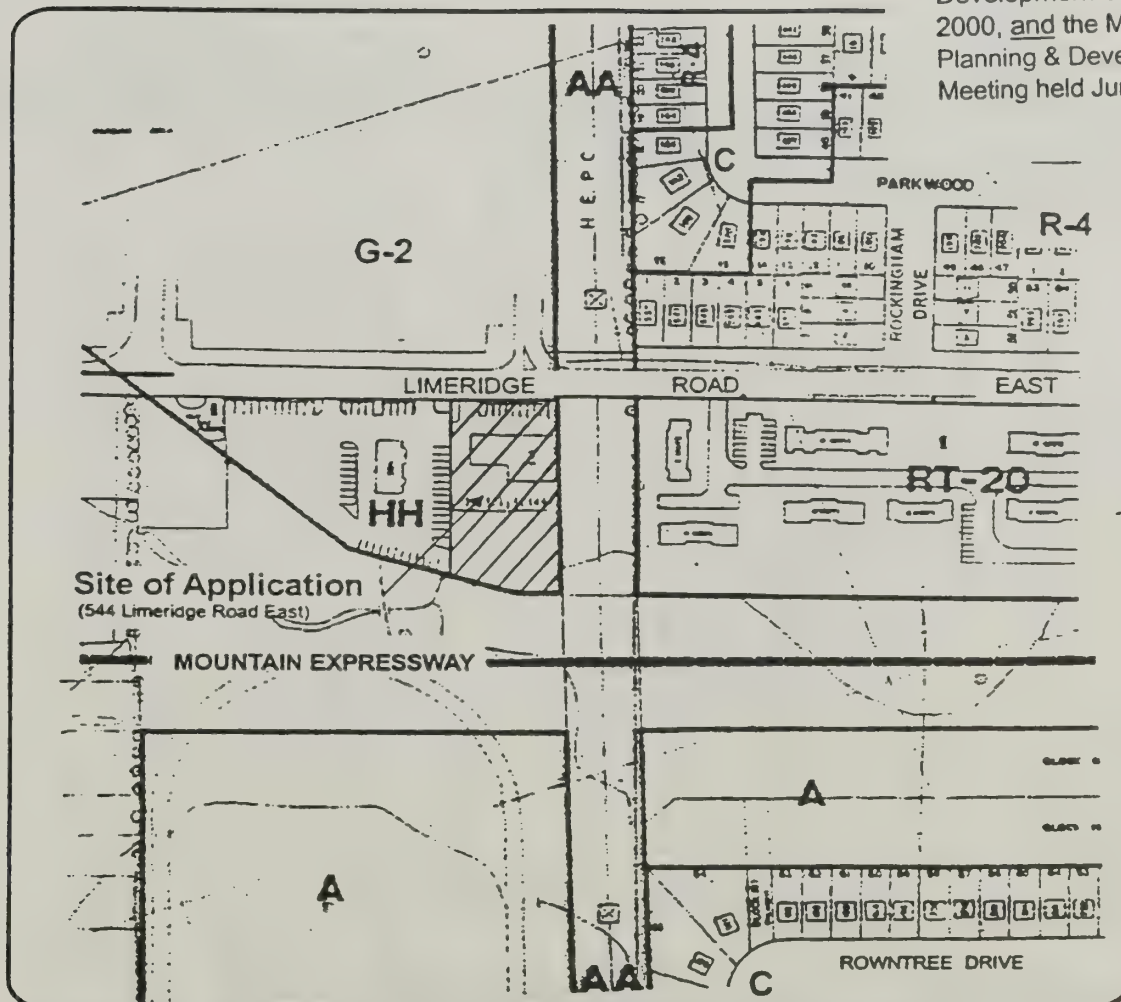
Site of the Application

Appendix "B" referred to in Section 1 of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.



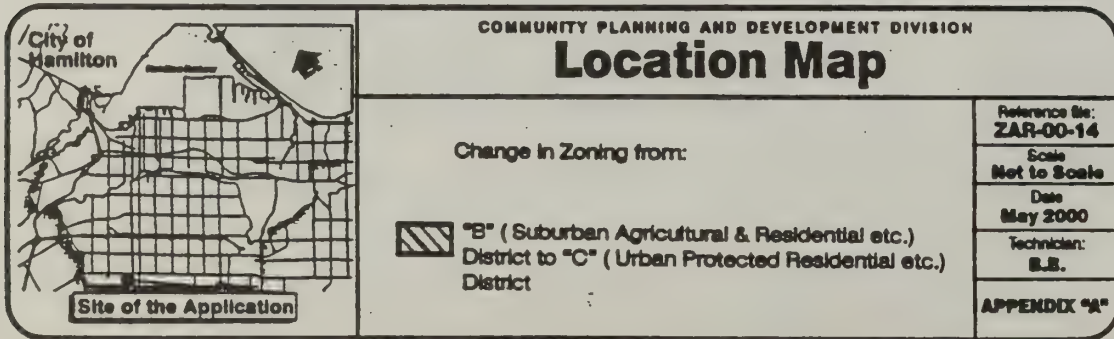
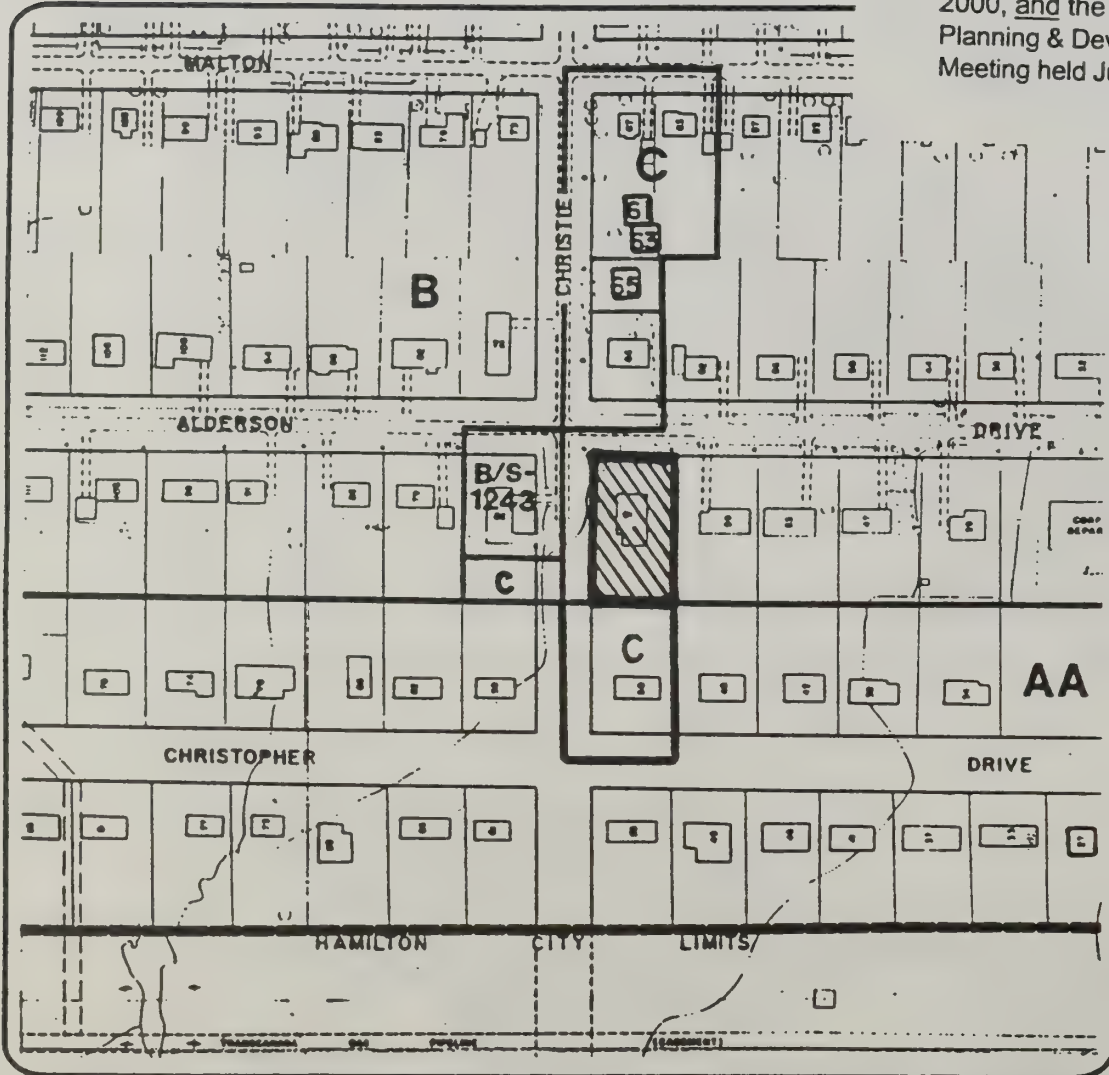
APPENDIX "B" (RED-LINE REVISIONS INCORPORATED INTO PLAN)

Appendix "C" referred to in Section 2 of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.

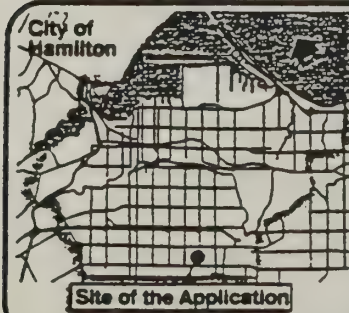


City of Hamilton Site of the Application	COMMUNITY PLANNING AND DEVELOPMENT DIVISION	
	Location Map	
	Site of Application (544 Limeridge Road East) Modification to the "HH" (Restricted Community Shopping and Commercial etc.) District.	Reference file: ZAR-00-10 Scale Not to Scale Date Mar. 2000 Technician: JS
		APPENDIX 'A'

Appendix "D" referred to in Section 3 of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.



Appendix "E" referred to
in Section 4 of Report
12-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held June 21, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map



Site of Application.
(1472 Upper Gage Ave.)
Change in zoning from "AA" (Agricultural)
to "R-4" (Small lot Residential etc.) District.

Reference file:
ZAR-00-16

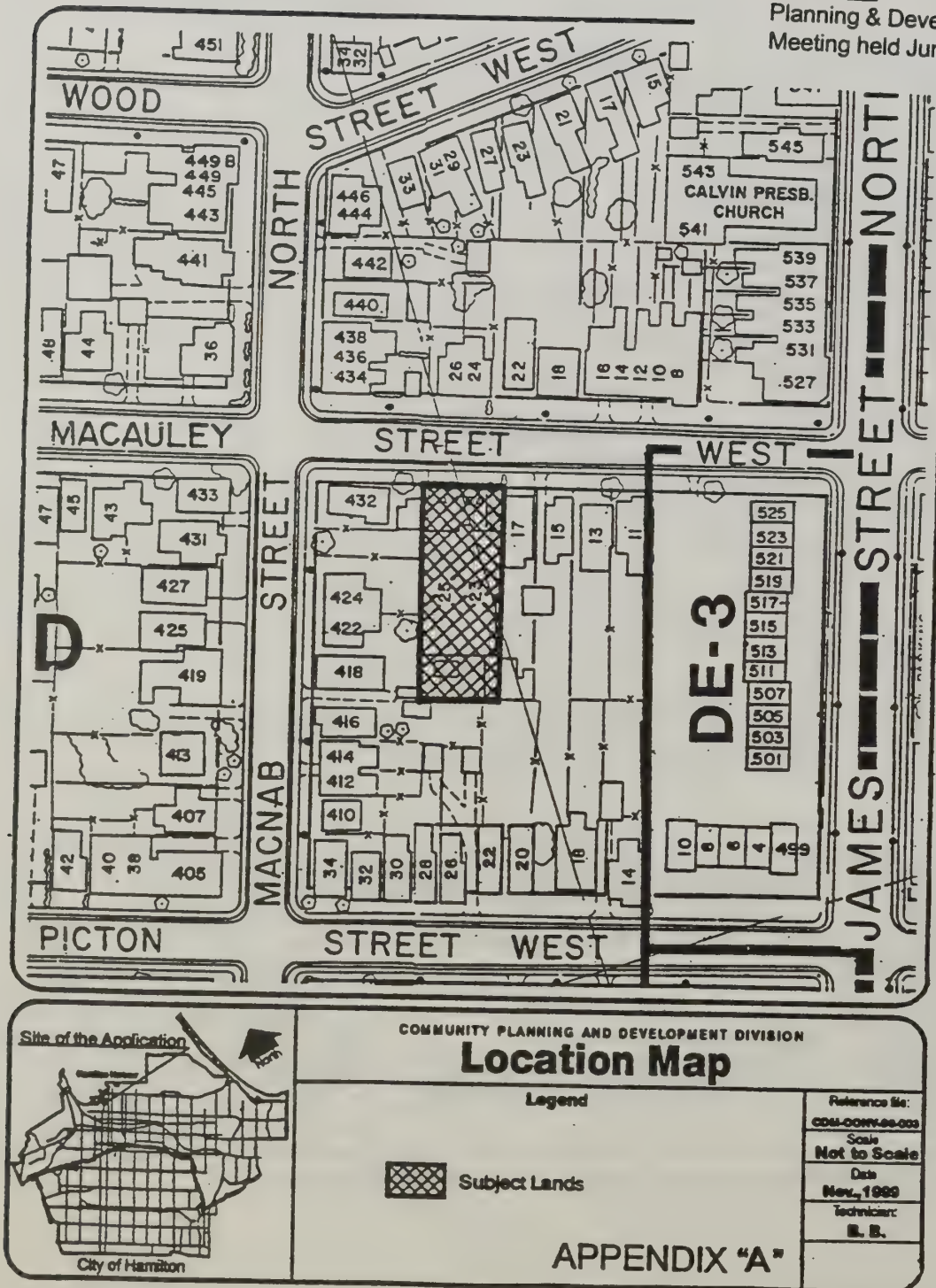
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Date
May, 2000

Technician
JS

APPENDIX 'A'

Appendix "F" referred to in Section 9 of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.



Appendix "G" referred to in Section 12 of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.

TAX INCENTIVE PROGRAM FOR DESIGNATED COMMERCIAL/INDUSTRIAL BUILDINGS IN HANMILTON'S DOWNTOWN

Description

The intent of the Tax Incentive Program is to provide an economic catalyst for renovating commercial/industrial buildings located within area bounded by Queen Street, The Harbour, Victoria Avenue and the Escarpment, which are designated under the Ontario Heritage Act. The Program establishes a ten-year rebate on the increased realty taxes related to the City and the Regional portion of the increase. This increased property assessment is a direct result of the renovation of the building and represents the differential between the pre-renovation assessment and the post-renovation assessment.

Eligibility criteria:

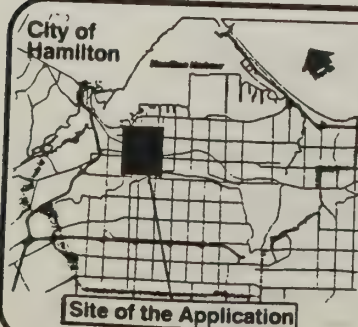
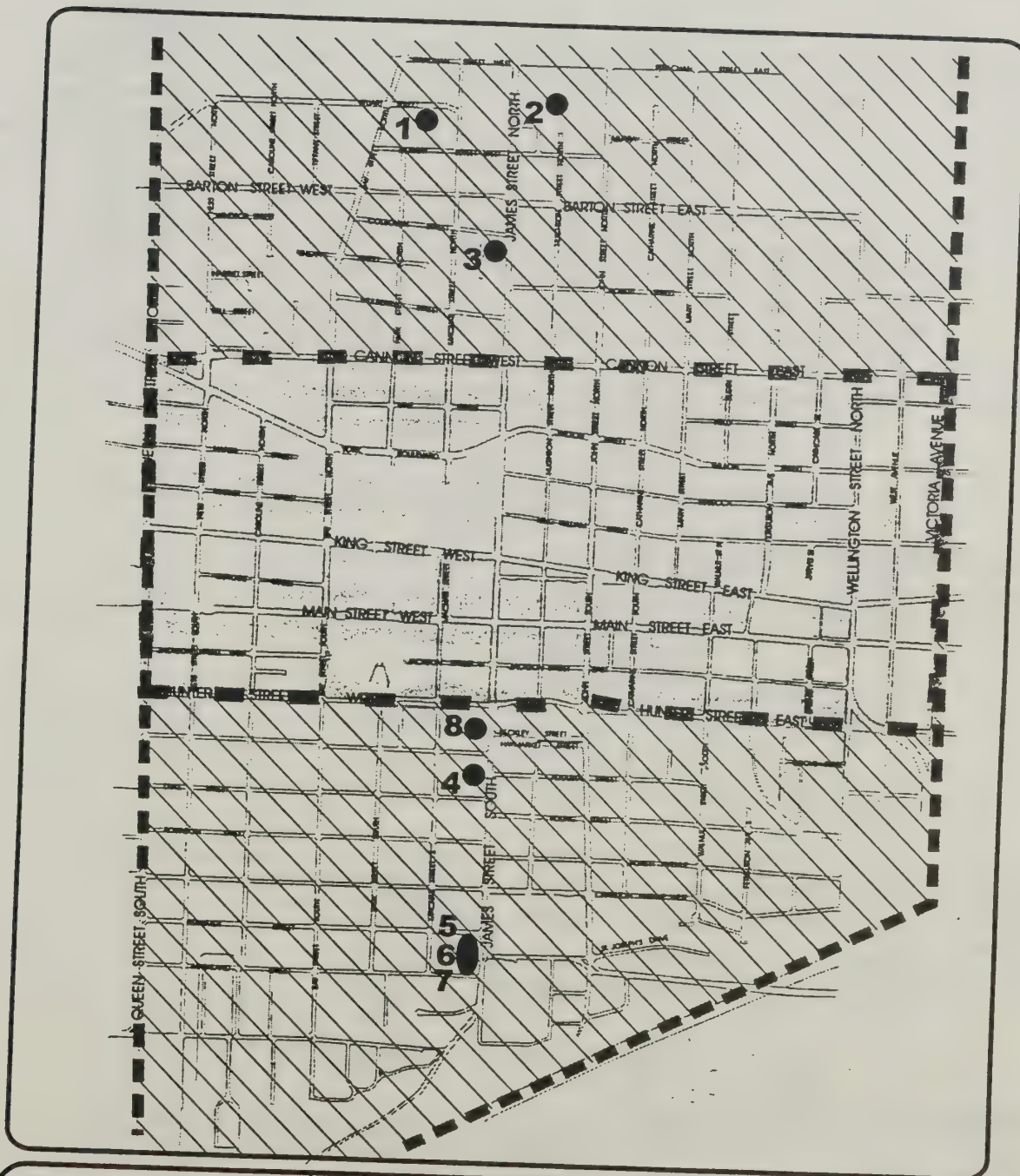
- The building must be designated under the Ontario Heritage Act, and has a present or former use as a commercial or industrial building;
- The building must be located within the boundaries of Queen Street, the Harbour, Victoria Avenue and the Escarpment;
- Application for this tax incentive will only be accepted after final approval of this program; and,
- If new construction is added to the historic building as part of the total project, the tax rebate will only apply to the original size of the designated heritage building.

Requirements:

- The building would have to be renovated in such a way that would complement the Reasons for Designation, and that a Heritage Permit must be approved by City Council for any alterations to the heritage features identified in the Reasons for Designation;
- The property must be insured at replacement value;
- The property shall not be in property tax arrears;
- The total amount of tax benefit is not to exceed the cost of the work done; rebates will cease when the amount equals the value of the work done; and
- The property owner may apply for the Tax Incentive Program at the time a Building Permit is applied for and will sign a Tax Incentive agreement with the City when the impact of the construction to the tax roll is available to the City.

Conditions:

- Only the City and Regional portion of the property tax increase is eligible; the percentage of the property taxes paid for education is not eligible.
- If a building is sold within this ten-year period, the tax incentive will continue with the new owner after the sale of the building.
- The property will continue to be eligible for the tax incentive program as long as it is maintained in its rehabilitated condition during the said ten-year period.
- The City may discontinue the Tax Incentive Program at any time; however, participants prior to its closing will continue to receive the rebates, which had been determined for their properties.
- Each rebate application will be subject to Council Approval, including the availability of City funds and to such other conditions as Council may require.
- The property tax assessment at the time of application will be used to determine the pre-renovation tax. The amount of the property's assessment will be determined by the yearly mill rate.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION



Tax Incentive Program currently available within the boundaries of the Hamilton Downtown Community Improvement Area for Designated commercial/industrial buildings



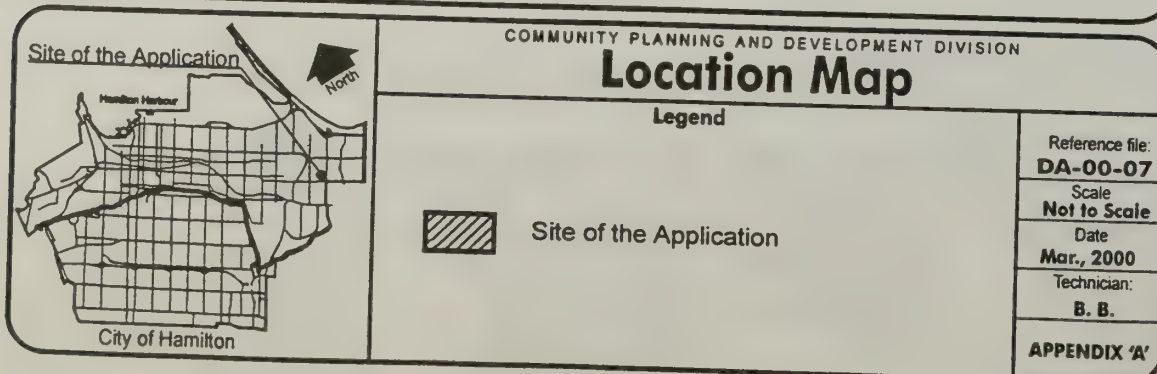
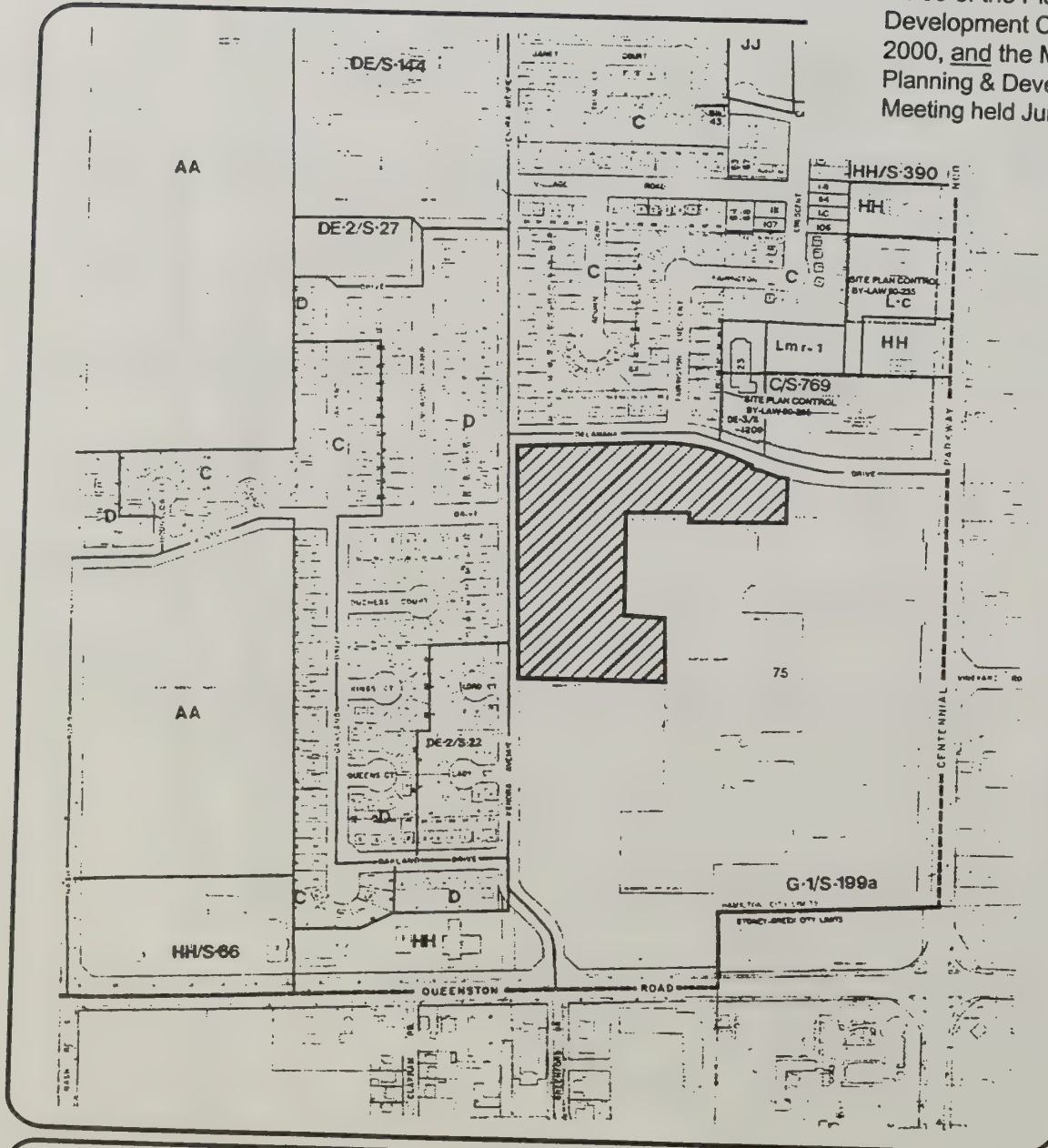
Proposed Expansion of Tax Incentive Program:

- 1 Custom House - 51 Stuart Street
- 2 CN Station - 360 James Street North
- 3 255-265 James Street North
- 4 156 James Street South
- 5 252 James Street South
- 6 262 James Street South
- 7 268 James Street South
- 8 124 MacNab Street South



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Date
May 2000
Technician:
R.L.
Key Map

Appendix "H" referred to in Section (i) of Report 12-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held June 21, 2000.





REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, June 6, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow Aldermen A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Regrets:

Alderman M. Caplan, Regional Business

Region Finance and Administrative Services Committee

Councillor B. Charters, (Chairman), Councillor G. Etherington, (Vice-Chairman), Councillors D. O'Sullivan, A. Sloat, B. Kelly, A. Bain, D. Wilson, M. Kiss

Regrets:

Councillor F. D'Amico – Regional Business
Councillor R. Powers - illness
Councillor M. Caplan - Regional Business

Also present:

Councillors R. Corsini, F. Eisenberger, J. Bruzzese, A. Ross, L. Bourns, R. Fair, B. Desnoyers, R. Nutley, Fire Chief Peace, N. Catalano, T. Bradbury, J. Weatherhead, B. McMullin, L. Coveyduck, Police Chief Robertson, E. Holt, S. K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 13-00 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Downtown Partnership (Item 9)**

- (a) That the document presented by the Hamilton Downtown Partnership to the Finance and Administration Committees, which contains a revised mandate, and is herewith attached and marked Appendix "A", be endorsed; and,

- (b) That a more open dialogue between the Hamilton Downtown Partnership and the City of Hamilton/Region of Hamilton-Wentworth be maintained by having quarterly meetings between the City and Region Finance and Administration Committees and the Hamilton Downtown Partnership; and,
- (c) That in keeping with the recently approved Policy for Funding of Non-Profit Agencies, that the Year 4 and 5 Hamilton Downtown Partnership Budgets be referred to the Transition Board for inclusion in the future Operating Budgets.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Charters, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Jackson, Anderson. -2.

CARRIED.

2. City Budget Variance to April 30, 2000 (FIN00069) (Item 10)

- (a) That the costs of demolishing the Fernleigh Lawnbowling Club (estimated at \$20,000) be funded from the Property Purchases Reserve (COHAM 100035); and,
- (b) That any proceeds from the sale of the surplus lands of the Fernleigh Lawnbowling Club be credited to the Property Purchases Reserve (COHAM 100035); and,
- (c) That this report be forwarded to the Transition Board for approval.

3. Underground Parking Garage – Lighting Retrofit (FAC00002) (Item 16)

- (a) That the staff of the Facilities Management Department be authorized to proceed with the retrofit of the lighting system within the Underground Parking Garage in an amount not to exceed \$175,000; and,
- (b) That the retrofit project be funded from the Enterprise Fund Account and repaid over a period not to exceed five (5) years from the operating savings realized from the reduced energy consumption; and,
- (c) That this matter be referred to the Transition Board for approval.

4. **Sale of Alleyway between Glenfern Avenue and Amelia Street, Parts 7, 9 and Part of Part 6, Plan 62R-14134 (CS00022) (Item 17)**

- (a) That an Offer to Purchase (Highway Closure) duly executed by The Wright-Williams Realty Co. Limited on May 14, 1999 and scheduled to close on June 29, 2000, for a portion of the alleyway between Glenfern Ave. and Amelia Street being Parts 7, 9 and the easterly half of Part 6, Plan 62R-14134, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Sales Procedural By-Law No. 95-049 have been fulfilled by the City, and By-Law No. 99-080, to stop-up, close and sell said alleyway was passed on June 29, 1999 and registered in the Land Registry Office as instrument LT560115 on July 8, 1999, and funds derived from the sale of \$2.00 be credited to Account Centre 47702-100035 (Reserve for Property Purchases – Sales); and,
- (b) That the Mayor and Acting Municipal Clerk be authorized and directed to execute the necessary documents; and,
- (c) That in accordance with Real Property Sales Procedural By-Law No. 95-049,
 - (i) satisfactory notice has been given to the public of the intended sale by Notices that were published in the Spectator for four (4) consecutive weeks pursuant to Section 300 of the Municipal Act (the highway sale provisions); and,
 - (ii) property sales/dispositions of Highways (Alleyways) are exempt from the requirement of an appraisal of fair market value; and,
 - (iii) The Acting Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act.

5. **Declaration of Surplus Lands - Hamilton Beach (CS00024) (Item 18)**

- (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-Law No. 95-049:

<u>Item No.</u>	<u>Municipal #</u>	<u>Street Name</u>	<u>Approximate Size In Feet</u>
1.	1057	Beach Blvd.	56.5 x 126
2.	1052	Beach Blvd.	72 x 160
3.	1038	Beach Blvd.	60 x 134

4.	1026	Beach Blvd.	177 x 130
5.	991	Beach Blvd.	103 x 137
6.	990	Beach Blvd.	108 x 140
7.	964-978	Beach Blvd.	246 x irregular
8.	951	Beach Blvd.	54 x 146
9.	930-940	Beach Blvd.	121 x irregular
10.	920	Beach Blvd.	172 x 193
11.	883	Beach Blvd.	53 x 96
12.	856 (860 – 950)	Beach Blvd.	183 x 195
13.	1	Fifth Avenue	38 x 97
14.	4	Fifth Avenue	43 x 98
15.	789	Beach Blvd.	31 x 147
16.	320	Beach Blvd.	49 x 142
17.	3	Locarno Drive	105 x 139
18.	12	Locarno Drive	42 x 80
19.	776	Beach Blvd.	30 x 184
20.	73	Beach Blvd.	32 x 42
21.	163	Beach Blvd.	25 x 102
22.	165	Beach Blvd.	25 x 102
23.	287	Beach Blvd.	28 x 238
24.	3	Wark Avenue	22 x 78
25.	4	Wark Avenue	33 x 70
26.	4	Lakeside Avenue	32 x 94
27.	8	Lakeside Avenue	33 x 94
28.	3	Lakeside Avenue	32 x 94
29.	493	Beach Blvd.	25 x 94
30.	3	Dexter Avenue	70 x 67
31.	5	Dexter Avenue	33 x 67
32.	5	Wickham Avenue	40 x 84.3
33.	5	Knapmans Drive	50 x 86
34.	7	Knapmans Drive	50 x 82
35.	2	Windermere Ave.	38.5 x 62.4
36.	6	Windermere Ave.	39.5 x 64
37.	15	Windermere Ave.	79 x 75
38.	858 (rear)	Beach Blvd.	Irregular
39.	860 (rear)	Beach Blvd.	Irregular
40.	854 (rear)	Beach Blvd.	Irregular
41.	852 (rear)	Beach Blvd.	Irregular
42.	850 (rear)	Beach Blvd.	Irregular
43.	843 (rear)	Beach Blvd.	Irregular
44.	845 (rear)	Beach Blvd.	Irregular
45.	841 (rear)	Beach Blvd.	Irregular
46.	826 (rear)	Beach Blvd.	Irregular
47.	5 (rear)	Locarno Avenue	Irregular
48.	1044 (rear)	Beach Blvd.	Irregular
49.	1145	Beach Blvd.	166 x 116
50.	1111	Beach Blvd.	49.5 x 118
51.	717	Beach Blvd.	30 x 184

52.	536	Beach Blvd.	35 x 120
53.	328	Beach Blvd.	126 x 329
54.	258	Beach Blvd.	105 x 259
55.	526	Beach Blvd.	40 x 355
56.	512	Beach Blvd.	70 x 140
57.	496	Beach Blvd.	100 x 250
58.	486	Beach Blvd.	50 x 190
59.	456	Beach Blvd.	114 x 374
60.	417	Beach Blvd.	103 x 213
61.	422	Beach Blvd.	102 x 382.7
62.	358	Beach Blvd.	50 x 334
63.	483	Beach Blvd.	25 x 114
64.	312	Beach Blvd.	100 x 279
65.	984	Beach Blvd.	60 x 193
66.	809	Beach Blvd.	49 x 142
67.	640	Beach Blvd.	50 x 100
68.	377	Beach Blvd.	94 x 92

- (b) That Real Estate, Legal Services Section be authorized and directed to sell the properties in accordance with the Real Property Sales Procedural By-law 95-049.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Caplan -1.

CARRIED.

6. Funding of Conference Attendance - Committee of Adjustment (FIN0062) (Item 19)

That as referred to in Section 5 of the Planning and Development Committee Report 08-00 approved by City Council on April 11, 2000, the cost for attendance by Committee of Adjustment citizen members at the Year 2000 Committee of Adjustment Conference be charged to the Unclassified Account (COHAM 211115).

7. Funding Source for Canadian Open Wheelchair Tennis Championships - Rosedale Tennis Club, June 21 - June 25, 2000 (FIN00060) (Item 20)

That as referred to in Section 10 of Report 05-00 of the Parks and Recreation Committee approved by City Council on March 14, 2000 that one time funding of \$9,000 be allocated from the Hosting of Conferences with Municipal Subject Content Reserve (COHAM 104030) to the Ontario Wheelchair Sports

Association to assist with the costs of hosting the Canadian Open Wheelchair Tennis Championships being held June 21 - 25, 2000 in Hamilton and surrounding area.

8. **Policy Respecting Use of Cell Phones in Meetings** (Item 21)

- (a) That the Corporate Policy Manual be amended to include the following restriction respecting the use of cell phones and pagers during all Council and Standing Committee meetings:

"In order to maintain the focus of Council and Committee meetings, all cellular telephones and pagers are to be switched to a non-audible function during these meetings."

- (b) That this restriction appear on all future Council and Standing Committee Agendas and be appropriately displayed at the entrance of the Council Chambers and Committee meeting rooms.

9. **City of Hamilton 1999 Distribution of Year-End Operating Surplus (FIN 00070)** (Item 22)

- (a) That the 1999 surplus in Community Reinvestment Funding of \$57,000 be transferred to the Reserve for Tax Stabilization (COHAM 104055); and,
- (b) That the amount of \$50,000 be transferred from the current budget surplus to the Reserve for the Hosting of Special Dignitaries (COHAM 104035); and,
- (c) That the remaining current budget surplus, estimated to be \$612,000 be transferred to the Reserve for Tax Stabilization (COHAM 104055); and,
- (d) That this report be forwarded to the Transition Board for approval.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest** (Item 1)

None declared.

(b) **Adoption of Minutes – May 2, 2000** (Item 8)

The Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, May 2, 2000, were adopted.

(c) **Presentation – Hamilton Downtown Partnership** (Item 9)

The Committee received a presentation from Al Peckham, spokesperson for the Hamilton Downtown Partnership

(d) **Information Items Listing** (Item 11)

The Committee approved the receipt of the following Information Item:

- (i) Information Report – General Manager, Finance – Finance Department Staff Relocations (FIN00066)

(e) **In Camera Agenda – Personnel matter** (Item 13.1)

The Committee approved the following resolution and agreed that it be presented to a special meeting of City Council being held on Tuesday, June 6, 2000 for approval:

Non-Union Salary Adjustment (HUR0004) (Item 13.1)

- (a) That the Non-Union salary grid for all City and Regional exempt staff be increased by 1.5% effective April 1, 2000; and,
- (b) That this recommendation will require Transition Board approval.

(f) **General Manager, Community Services – Tiered Response** (Item 15)

The Committee received presentations from the Hamilton Firefighters Association, the General Manager of Community Services and the Police Chief respecting Tiered Response.

The Fire Chief advised the Committee that he will be inviting representatives from the Firefighters Association to participate on the Tiered Response Committee and the Ambulance Committee.

(g) **Requested Report Back – Acting City Manager – Comparison of fees and charges for Special Events Operations** (Item 23)

The Committee received for information, the above-noted document.

(h) **Requested Report Back – General Manager, Community Services – Lakeland Pool** (Item 24)

The Committee received the above-noted information report and forwarded the following resolution to a special meeting of City Council on June 6, 2000 for consideration:

Lakeland Pool (CSC00096)(Item 24)

- (a) That City Council approve a grant in the amount of \$20,000 to the Lakeland Family Pool Association for the purpose of operating the Lakeland Pool for the 2000 summer season only; and,
 - (b) That the grant be subject to the operators receiving all necessary approvals from the Department of Public Health; and,
 - (c) That the grant be subject to the operators providing proof of insurance satisfactory to the City Solicitor; and,
 - (d) That the grant in the amount of \$20,000 to Lakeland Pool be funded from the Reserve for Contingency (COHAM 104015); and,
 - (e) That this recommendation be forwarded to the Transition Board for their approval.
- (i) **Added – Information Report – General Manager, Finance – Provincially Mandated Taxation Inserts (FIN00071)**

The Committee received the above-noted information report.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:00 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder,
Acting Manager of Legislative Services/Records
June 6, 2000**

Minutes of June 27, 2000

HAMILTON DOWNTOWN PARTNERSHIP

Board Membership

Board of Directors

- Ms. Monique Arbour, Mohawk College
- Ms. Denise Arsenault, Hamilton Health Sciences Corporation
- Mr. Tom Atterton, Hamilton & District Labour Council
- Regional Chair Terry Cooke, The Reg'l Mun. of H.-W
- Mr. Jose Geada, Hamilton-Halton Home Builders' Assoc.
- Councillor Andrea Horwath, City of Hamilton
- Mr. Bob Jones, Stelco
- Ms. Helen Kirkpatrick, Central Neighbourhood Assoc.
- Mayor Bob Morrow, City of Hamilton
- Mr. Al Peckham, Royal Bank
- Mr. Don Pether, Dofasco

Honourary Directors

- Ms. Shelley Rempel, Housing Help Centre
- Chief Ken Robertson, H.-W Reg'l Police
- Ms. Gil Simmons, Bay Area Restoration Council
- Mr. Gord Thompson, Thompson Pawn Brokers / International Village BIA
- Mr. Roger Trull, McMaster University
- Ms. Kathy Wiegand, Aragon Development Corp. / Hamilton Downtown BIA
- Mr. Jim Alfano, Stelco
- Dr. Peter George, McMaster University
- Mr. Wayne Marston, Ham. & Dist. Labour Council
- Mr. John Mayberry, Dofasco
- Ms. Catherine Rellinger, Mohawk College

Hamilton City Council

Hamilton Downtown Partnership

FOUNDATION

Background - Appendix "A"

- Public Process (300 participants)
- Independent Non-Profit Corporation
- Mission
- Vision (1)
- Goals (7)
- Implementation Strategies (39)

ANALYSIS

Issues - Appendix "B"

- Mission lacked “clarity”, “valued added” direction, and allows for “gap” in expectations
- Operational linkages are disconnected
- Partnership with business, community, government – facilitate, advocate, and promote
- By design is positioned to “get things done” without “getting the credit” – not a developer or development agency

RE-EVALUATION

Mandate - Pages 1-2

- Converted long-term mission to short-term mandate:

- Promote Downtown Hamilton.
- Advocate and be a catalyst for changes to policy and regulatory adherence.
- Facilitate the affective and timely implementation of the approach, process and philosophy of the Downtown Secondary Plan.

Need: Support by City & Regional Council

RE-EVALUATION

Organizational Structure / Operation - Page 2

- No organizational change
- Need: Improved operational linkages with
 - Existing Community Groups
 - Bureaucratic System (Planning / Economic Development)
 - Elected Representatives

RE-EVALUATION

Time Frame - Pages 2 3

- Demonstrated successful partnerships
- Comparative analysis indicates a community the size of Hamilton-Wentworth should be allocated \$24.4 million annually for “urban policy” and “regeneration programs”
- Downtown Hamilton is slated for \$4.4 m in 2000
- Takes at least 5 years to begin seeing impact
- Realistic approach in expectations

SUPPORT by July 6th

Summary - Page 3

- Mandate:
 - Promote Downtown Hamilton
 - Advocate and be a catalyst for changes to policy and regulatory adherence
 - Facilitate the affective and timely implementation of the approach, process and philosophy of the Downtown Secondary Plan.
- Improved operational linkages
- Proceed with Year 3 Funding



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, June 20, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

- Present:** **City Finance and Administration Committee**
Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
- Present:** **Region Finance and Administrative Services Committee**
Councillor B. Charters, (Chairman), Councillor G. Etherington (Vice-Chairman), Councillors D. Wilson, D. O'Sullivan, R. Powers, M. Kiss, M. Caplan, A. Sloat, F. D'Amico, B. Kelly, A. Bain
Regional Chairman T. Cooke
- Also present:** J. Bruzzese, A. Ross, T. Bradbury, E. Chayka, J. Weatherhead, B. McMullin, J. Spiler, Fire Chief G. Peace, Deputy Fire Chief K. Knoflook, Deputy Fire Chief J. Kay, R. Fair, S. Reeder

Councillor B. Charters, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 14-00 AND RESPECTFULLY RECOMMENDS:

1. **Tax Applications processed under Section 443, Subsection (5) of The Municipal Act, Chapter 45, Statutes of Ontario, 1990 (FIN00065) (Item 9)**
 - (a) That realty and business tax applications processed under Section 443, of The Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of \$27,480.33 be approved and charged to COHAM 52108 211025 Tax Remissions; and,
 - (b) That this request be forwarded to the Transition Board for approval.

2. **Authorization to Enter into an Extension Agreement on a Specific Property for the Payment of Realty Tax Arrears (FIN00074) (Item 10)**
 - (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owner of 769 Mohawk Road East to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
 - (b) That the by-law to authorize the said Extension Agreement be enacted by City Council; and,
 - (c) That the Mayor and Acting Municipal Clerk be authorized to execute the aforesaid by-law and extension agreement.
3. **City of Hamilton Compliance Requirements for Year 2000 Community Reinvestment Funding (FIN00078) (New Business #1)**
 - (a) That the City of Hamilton confirm the use of the 2000 Community Reinvestment Funding allocation as described in the Schedule 1 attached herewith and marked, Appendix "A"; and,
 - (b) That the City of Hamilton comply with the request of the Ministers of Finance and Municipal Affairs and Housing and submit to the Province an electronic copy of a forecast of the 2000 continuity of reserves and reserve fund schedule FIR Schedule 10 attached herewith and marked Appendix "B"; and,
 - (c) That the City of Hamilton comply with the request of the Ministers of Finance and Municipal Affairs and Housing and submit to the Province an electronic copy of a forecast of the Year 2000 Capital Fund Operations FIR Schedule 5 attached herewith and marked Appendix "C".
4. **Fire Negotiations (C00700)(Item 12.1)**
 - (a) That additional costs for professional services rendered in relation to the City's application to the Ontario Labour Relations Board (OLRB) for the designation of positions as "excluded management" pursuant to the provisions of the Fire Prevention Act, in an amount not to exceed \$70,000 be funded as follows:
 - (i) Firstly, from surplus in the Human Resources budget;

- (ii) Secondly, from overall corporate surplus;
 - (iii) Lastly, from the Reserve for Tax Stabilization (COHAM 104055); and,
 - (b) That this request for additional funding be forwarded to the Transition Board for consideration.
5. **Hosting of Dinner for dignitaries attending the International Children's Games being held in Hamilton July 1-7, 2000 (New Business #2)**
- (a) That approval be given to host a dinner for dignitaries attending the International Children's Games being held in Hamilton on July 1-7, 2000 at an amount of \$6,000.; and,
 - (b) That funding for this amount be charged to the Unclassified account COHAM 211115.
6. **Bills**
- That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-026 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears
 - (b) D-027 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
7.
 - (a) That staff be authorized to issue a Purchase Order to G.S. Wark of Hamilton in the amount of Five Hundred and Thirteen Thousand Six Hundred (\$513,600.) including applicable taxes of Thirty Three Thousand Six Hundred (\$33,600) for Hamilton Fire Stations No. 6 and 11, Minor Upgrades and Ambulance Expansion as detailed in the contract Documents issued in May 2000, and;
 - (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Contractor, and;
 - (c) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City, and;
 - (d) That the General Manager of the Community Services Division be authorized to expend the project contingency of \$50,000 for unforeseen and additional project requirements. **ADDED.**

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Presentation – Fire Chief - To the present and past Chairmen of the Finance and Administration Committee (Item 8)

Fire Chief Peace, Deputy Chief Knoflook and Deputy Chief Kay presented a golden helmet to former Alderman Don Ross, Alderman B. Charters and Alderman D. Wilson as appreciation for their past and present Chairmanship of the Finance and Administration Committee.

(c) Information Items Listing (Item 11)

The Committee approved the receipt of the following Information Item:

- 11.1 Information Report – General Manager, Community Services Division
– Purchase of Engine Exhaust Extraction Equipment – Adjustment to
Value of Purchase Order to include Provision for PST (CSC00095)

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:15 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder,
Acting Manager of Legislative Services/Records
June 20, 2000**

Appendix "A" as referred
To in Section 3 of Report
14-00 of the City Finance
and Administration
Committee

Schedule 1**City of Hamilton
Year 2000 Budget**

Expenditures	\$192,646,630
Revenues before Community Reinvestment Funding	(<u>82,246,190</u>)
Net Levy before Community Reinvestment Funding	\$110,400,440
Community Reinvestment Funding	(<u>2,977,000</u>)
Net Levy after Community Reinvestment Funding	<u>\$107,423,440</u>

*The Year 2000 CRF allocation is \$3,182,000. This amount includes \$148,000 which belongs to the Region of Hamilton-Wentworth as it relates to Violence Against Women shelters which are a Regional responsibility. In addition, the budget reflects the 1998 level of funding or \$57,000 less than the actual allocation. This \$57,000 has been identified to City Council as a surplus for the Year 2000 and will be transferred to the Reserve for Tax Stabilization at the end of the year.

Hamilton City Council

CONTINUITY OF RESERVES AND RESERVE FUNDS (FORECAST)

for the year ended December 31, 2000

Hamilton C

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15

Minutes of June 27, 2000

Appendix "B" as referred
To in Section 3 of Report
14-00 of the City Finance
and Administration Committee

	1	2
	3	4
Balance at the beginning of the year	1	81,060,105
Revenues		
Contributions from revenue fund	2	11,383,150
Contributions from capital fund	3	
Development Charges Act	67	1,000,000
Lot levies and subdivider contributions	60	
Recreational land (the Planning Act)	61	
Investment income - from own funds	5	
- other	6	3,000,000
--	9	
--	10	
--	11	
--	12	
Total revenue	13	15,383,150
Expenditures		
Transferred to capital fund	14	5,557,000
Transferred to revenue fund	15	1,349,280
Charges for long term liabilities-principal and interest	16	
--	63	
--	20	
--	21	
Total expenditure	22	6,906,280
Balance at the end of the year for:		
Reserves	23	60,536,975
Reserve Funds	24	29,000,000
Total	25	89,536,975
Analysed as follows:		
Reserves and discretionary reserve funds:		
Working funds	26	31,475,651
Contingencies	27	231,943
Ontario Clean Water Agency funds for renewals, etc.		
-sewer	28	
-water	29	
Replacement of equipment	30	7,255,745
Sick leave	31	5,870,495
Insurance	32	1,684,674
Workers' compensation	33	11,361,450
Capital expenditure-general administration	34	1,737,833
-roads	35	
-sanitary and storm sewers	36	
-parks and recreation	64	
-library	65	
-other cultural	66	72,193
-water	38	
-transit	39	
-housing	40	3,538,284
-industrial development	41	1,226,138
-other and unspecified	42	8,577,495
Waterworks current purposes	48	
Transit current purposes	50	
Library current purposes	51	3,266,045
Vehicle/Equipment	52	741,997
--	53	
--	54	
Obligatory reserve funds:		
Development Charges Act	68	6,182,582
Lot levies and subdivider contributions	44	
Recreational land (the Planning Act)	46	-46,516
Parking revenues	45	-2,258,654
Debenture repayment	47	8,619,620
Exchange rate stabilization	49	
--	95	
--	96	
--	97	
Total	68	89,536,975

Hamilton City Council

Minutes of June 27, 2000

ANALYSIS OF CAPITAL OPERATIONS (FORECAST)

for the year ended December 31, 2000

Municipality

Hamilton C

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9

		1	\$
Unfinanced capital outlay (Unexpended capital financing) at the beginning of the year	1	5,669,401	
Sources of financing			
Contributions from own funds			
Revenue fund	2	3,000,000	
Reserves and reserve funds	3	5,557,000	
Subtotal	4	8,557,000	
Long term liabilities incurred			
Central Mortgage and Housing Corporation	5		
Ontario Financing Authority	7		
Commercial Area Improvement Program	9		
Other Ontario housing programs	10		
Ontario Clean Water Agency	11		
Tile drainage and shoreline property assistance programs	12		
Serial debentures	13		
Sinking fund debentures	14	34,306,339	
Long term bank loans	15		
Long term reserve fund loans	16		
--	17		
Subtotal*	18	34,306,339	
Grants and loan forgiveness			
Ontario	20		
Canada	21		
Other municipalities	22		
Subtotal	23	0	
Other financing			
Prepaid special charges	24		
Proceeds from sale of land and other capital assets	25	1,000,000	
Investment income			
From own funds	26		
Other	27	15,950,000	
Donations	28		
--	30		
Revenue from Lower Tier	31	300,000	
Subtotal	32	17,250,000	
Total sources of financing	33	60,113,339	
Applications			
Own expenditures			
Short term interest costs	34		
Other	35	55,879,243	
Subtotal	36	55,879,243	
Transfers of proceeds from long term liabilities to:			
Other municipalities	37		
Unconsolidated local boards	38		
Individuals	39		
Subtotal	40	0	
Transfers to reserves, reserve funds and the revenue fund	41		
Total applications	42	55,879,243	
Unfinanced capital outlay (Unexpended capital financing) at the end of the year	43	1,435,305	
Amount reported in line 43 analysed as follows:			
Unapplied capital receipts (negative)	44		
To be recovered from:			
- taxation or user charges within term of council	45		
- proceeds from long term liabilities	46		
- transfers from reserves and reserve funds	47	1,435,305	
--	48		
Total unfinanced capital outlay (unexpended capital financing)	49	1,435,305	
* - amount in line 18 raised on behalf of other municipalities	19		

Appendix "C" as referred to
in Section 3 of Report 14-00
Of the City Finance and
Administration Committee

M21
2000



**URBAN
MUNICIPAL**

MINUTES

CITY OF HAMILTON CITY COUNCIL

**Tuesday, July 4, 2000
10:50 a.m.**

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

URBAN MUNICIPAL

JUL 20 2000

GOVERNMENT DOCUMENTS

Present: Acting Mayor D. O'Sullivan, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico

Regrets: Mayor R. M. Morrow – Civic Business
Alderman R. Corsini – Civic Business

Acting Mayor O'Sullivan called the meeting to order.

ADOPTION OF MINUTES

The Minutes of the regular meeting held June 27, 2000 were adopted as circulated.

CORRESPONDENCE

1. Petition from Rob Smith on behalf of the Committee to Save Bellevue with approximately 180 signatures re: To Preserve Bellevue

Received.

2. Petition with approximately 90 signatures from residents in the vicinity of Sanatorium Road and Scenic Drive respecting the re-zoning for the south east corner of Sanatorium Road and Scenic Drive. This item is also referred to in Section C-6 of the Planning and Development Section of this Agenda.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of matters not reported upon by the respective Standing Committees. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to permit consideration of Item A-1 to E-1 and the Report of the Nominating Committee be now considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico. -15.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE
--

Section A-8 (b) Declaration of Surplus Property – 583 Upper Wellington Street – Municipal Car Park #9a

It was moved by Alderman Kelly and seconded by Alderman Anderson that sub-section (b) of Item A-8 of the Transport and Environment Committee Section be deleted in its entirety and replaced with the following in lieu thereof:

- (b) That the Real Estate Division be authorized and directed to negotiate the sale of this property to the abutting owners in accordance with the Real Property Sales Procedural By-law No. 95-049. **CARRIED.**

Section A-9 Re: Referral from Regional Council - \$1,000 Permit Fee for Film and Television Production

It was moved by Alderman Anderson and seconded by Alderman Kelly that Sub-section (b) be deleted in its entirety and that sub-section (c) be renumbered accordingly.

CARRIED.

* * * * *

Section A-12 Re: Temporary Road Closure – Robert Street – August 25-27, 2000

It was moved by Alderman Horwath and seconded by Alderman Collins that the following be added as Section A-12 to the Transport and Environment Committee Section:

A-12 Temporary Road Closure - Robert Street - August 25-27, 2000

That the application by the Lighthouse Restaurant to temporarily close Robert Street between James Street and Hughson Street from Friday, August 25, 2000 at 6:00 p.m. to Sunday, August 27, 2000 at 11:00 p.m., to hold the second annual Lighthouse Summer Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and

- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the applicant be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight on Friday, August 25 and Saturday, August 26, during the event, and that a City of Hamilton Noise By-law officer be in attendance, if necessary, throughout the event, at the expense of the applicant; and
- (j) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by the Lighthouse Restaurant located at 221 James Street, to serve alcohol on the road allowance of Robert Street, from Friday, August 25, 2000 at 6:00 p.m. to Sunday, August 27, 2000 at 11:00 p.m. and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

CARRIED.

* * * * *

Section A-13 Re: Proposed Unopened Road Allowance Closure – Bedford Ave

It was moved by Alderman Kelly and seconded by Alderman Anderson that the following be added as Section A-13 of the Transport and Environment Committee Section:

A-13 Proposed Unopened Road Allowance Closure – Bedford Avenue – City Initiative

That the City Initiative to stop-up, close and sell Bedford Avenue, north of Rymal Road (including two 0.305m reserves), be approved, subject to the following conditions:

- (a) That Item 23 of the 7th Report of the Transport and Environment Committee as adopted by City Council on 1990 May 08, be rescinded; and
- (b) That the Acting Commissioner of Public Works and Traffic be directed to prepare a By-law to stop-up, close and sell Bedford Avenue (including two 0.305m reserves); and

- (c) That the Acting Commissioner of Public Works and Traffic be directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to section 44 of the Regional Municipalities Act, R.S.O. 1990; and
 - (d) That a reference plan be prepared and registered under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that a reproducible copy of said plan be deposited with the Regional Surveyor; and
 - (e) That Parts 26, 27, 28, 29, 32, 33, 34, 35 and 36 on Plan 62R-12578 be confirmed/declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and
 - (f) That Real Estate, Legal Services Section, be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law 95-049; and
 - (g) That the Municipal Clerk be directed to publish a notice pursuant to section 300 of the Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.
- CARRIED.**

* * * * *

Section A-14 Re: Temporary Road Closure – Hess St. S. between Main St. and King St. for the Annual Hess Village Jazz Festival

It was moved by Alderman Collins and seconded by Alderman Anderson that the following be added as Section A-14 of the Transport and Environment Committee Section:

A-14 Temporary Road Closure – Hess Street South, between Main Street and King Street, for the Annual Hess Village Jazz Festival

That the application of the Hess Village Performing Arts Association to temporarily close Hess Street between Main Street and King Street from Thursday, July 20, 2000 at 10:00 a.m. until Monday, July 24, 2000 at 10:00 a.m. to hold the Annual Hess Village Jazz Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and

- (b) That prior to the event, the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City at the expense of the event organizer; and
- (g) That no property owner, resident or customer within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the AGCO be advised that the City of Hamilton is aware of the application of the Gown and Gavel for a temporary extension of its liquor licence to serve alcohol on the road allowance of Hess Street commencing on Thursday, July 20, 2000 to Sunday, July 23, 2000 from 11:00 a.m. to 12 midnight inclusive and the City has no objection to the AGCO issuance of the appropriate liquor licence for this event; and
- (j) That the applicant be granted an exemption from the City of Hamilton's Noise By-law No. 79-292 to allow music to be played until midnight, commencing on Thursday, July 20, 2000 to Saturday, July 22, 2000 inclusive and that a Noise Control Officer monitor the event and be in attendance if necessary, at the expense of the applicant; and
- (k) That amplified sound, including set up, testing and performance will not begin until 11:00 a.m. and will cease at 11:00 p.m. on all days of the week, except Sundays where the amplified sound will not begin prior to 12:00 noon and will cease at 10:00 p.m.; and

- (l) That the applicant may seek an exemption to the City's Noise By-law 79-292 to allow amplified noise to continue until 12:00 midnight but only for Thursday, Friday and Saturday nights; and
- (m) That no other music be played outside of any establishments, at any time pursuant to the City of Hamilton Zoning By-law. This includes outdoor speakers and/or live music; and
- (n) That the level of sound amplification created by the bands on the stage shall not exceed 85 db (peak) at any time and 80 db after 11:00 pm (when permitted to exceed the 11:00 pm noise by-law). These levels to be monitored at the sound stage.

* * * * *

Section A-14 Re: Hess Village Jazz Festival

It was moved by Alderman Wilson and seconded by Alderman Copps that Section A-14 of the Transport and Environment Committee, be tabled.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Morelli, Haining, Copps, Wilson, Jackson. -7.

NAYS: Aldermen Caplan, Horwath, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -8. **LOST.**

* * * * *

Recorded vote on main motion.

YEAS: Acting Mayor O'Sullivan, Aldermen Caplan, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -8.

NAYS: Aldermen Kiss, Horwath, Morelli, Haining, Copps, Wilson, Jackson. -7. **CARRIED.**

PARKS AND RECREATION COMMITTEE

Section B-1 Re: Alcohol in Parks**Recorded vote.**

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman Jackson. -1 .

CARRIED.

Section B-2 Re: Alcohol in Parks**Recorded vote.**

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman Jackson. -1 .

CARRIED.

Section B-5 Re: Gage Park - Fieldhouse

It was moved by Alderman Morelli and seconded by Alderman Wilson that the following be added as Section B-5 of the Parks and Recreation Committee:

B-5 Re: Gage Park - Fieldhouse

- (a) That the Mayor and Acting Municipal Clerk be authorized to execute a Licence Agreement and a Financing Agreement with the Friends of Gage Park/Gage Park Baseball Association in a form satisfactory to Corporate Counsel; and,
- (b) That approval be given to issue a purchase order to Lael Construction, Hamilton, in the amount of \$133,124 including \$12,000 contingency, plus \$7,924 G.S.T. for the construction of the fieldhouse at Gage Park being the lowest of three (3) tenders received in accordance with specifications C11-2900 issued by the Purchasing Division and vendor's tender; and,

- (c) That the amount of \$133,124 for construction of the fieldhouse be funded as follows: \$83,124 from the Reserve for Red Hill Valley and \$50,000 to be paid by the Friends of Gage Park/Gage Park Baseball Association; and,
- (d) That this recommendation be referred to the Transition Board for approval.
- CARRIED.**

Section B-5 (c) Re: Gage Park Fieldhouse

It was moved by Alderman Morelli and seconded by Alderman Wilson that the amount of \$83,124 as referred to in sub-section (c) of Section B-5 respecting Gage Park Fieldhouse be referred to the Finance and Administration Committee to determine the method of financing.

CARRIED.

Section B-6 Sam Manson Park – Fieldhouse Expansion

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the following be added as Section B-6 of the Parks and Recreation Committee Section:

B-6 Sam Manson Park – Fieldhouse Expansion

- (a) That the Mayor and Acting Municipal Clerk be authorized to execute a Licence Agreement and a Financing Agreement with the East Hamilton Soccer Club and Sam Manson Bocci Association in a form satisfactory to Corporate Counsel; and,
- (b) That approval be given to issue a purchase order to G.S. Wark, Hamilton, in the amount of \$87,715 including an \$8,000 contingency, plus \$5,215 G.S.T. for the expansion of the fieldhouse at Sam Manson Park being the lowest of three (3) tenders received in accordance with specifications C11-2900 issued by the Purchasing Division and vendor's tender; and,
- (c) That the amount of \$87,715 for expansion of the fieldhouse be funded as follows: \$72,715 from the Reserve for Red Hill Valley, \$10,000 from East Hamilton Soccer Club, and \$5,000 from the Sam Manson Bocci Association.
- CARRIED.**

URBAN MUNICIPAL

JUL 20 2000

GOVERNMENT DOCUMENTS

PLANNING AND DEVELOPMENT COMMITTEE

Section C-6 Re: Sanatorium Road and Scenic Drive (ZAC-00-17)

It was moved by Alderman Eisenberger and seconded by Alderman Kiss that Section C-6 of the Planning and Development Committee respecting a rezoning for the south-east corner of Sanatorium Road and Scenic Drive (ZAC-00-17) be referred back.

LOST.

* * * * *

Section C-6 Re: Sanatorium Rd. and Scenic Dr. (ZAC-0017)

Main Motion was LOST.

* * * * *

Section C-9 Re: Proposed Public/Private Agreement for the Auchmar Buchanan Estate

It was moved by Alderman D'Amico and seconded by Alderman Copps that the report respecting a Proposed Public/Private Agreement for the Auchmar Buchanan Estate be added as Item C-9 of the Planning and Development Committee:

C-9 Proposed Public/Private Agreement for the Auchmar Buchanan Estate

- (a) That the Agreement of Purchase and Sale, duly executed on June 18, 1999, by the purchaser, 1333786 Ontario Ltd, and the vendor, Cervarano Developments Ltd. and V & R Investments Inc., which agreement was assumed by the City of Hamilton on October 22, 1999, for the lands known as part lot 15, Concession 4, former Barton TWP, City of Hamilton and consisting of approximately 3.55 acres, be amended by extending the closing date of this transaction from July 30, 2000 to on or before September 28, 2000. All other terms and conditions contained in the Agreement of Purchase and Sale to remain the same and that time remains of the essence.
- (b) That the date for entering into a Public/Private Agreement for the entire Auchmar property, as approved by the Planning and Development Committee at its meeting on May 18, 2000, be extended from July 7, 2000 to on or before September 22, 2000. All other terms and conditions contained in the May 18 recommendation to remain the same and that time remains of the essence.
- (c) That the Commissioner of Legal Services be authorized and directed to take the appropriate action in dealing with this matter. **CARRIED.**

* * * * *

Section C-10 Re: Setay Investments – 1441 & 1477 Upper James Street

It was moved by Alderman Kelly and seconded by Alderman Anderson that the following be added as Section C-10 of the Planning and Development Committee:

C-10 Setay Investments – 1441- 1477 Upper James Street

That approval be given to the request by Setay Investments, owner, at 1441-1477 Upper James Street, as shown on the attached map marked as Appendix "E", for a further extension to the approval of Site Plan Control Application DA-97-30 to January 6, 2001, and that at the end of this period, if a Building permit has not been issued, the proposed development must be subject to a new Site Plan Control Application. **CARRIED.**

* * * * *

Section C-11 Re: Sale of Chedoke Hospital Lands - Health Sciences – Ministry of Health

It was moved by Acting Mayor O'Sullivan and seconded by Alderman D'Amico that the following be added as Item C-11 of the Planning and Development Committee:

C-11 Sale of Chedoke Hospital Lands - Health Sciences

- (a) That the Ministry of Health be notified that the Chedoke lands are being sold off piece by piece; and,
- (b) That the City request a moratorium on the sale of lands until a healthcare usage plan is developed by Health Sciences. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE

D-2. Financing for the Purchase of Two Rapid Response Units.

It was moved by Acting Mayor O'Sullivan and seconded by Alderman Wilson that Section D-2 be amended by deleting sub-section (c) and (d) and replacing it with the following recommendation entitled "Financing for the Purchase of Two Rapid Response Units, Hamilton Fire Department" be added as Section D-2: **CARRIED.**

- (c) That the \$450,000 cost of two Rapid Response vehicles be funded from the Capital Reserve for Motorized Equipment Replacement (Project ID 100040); and that the above noted reserve be repaid the \$450,000 from the Fire Department operating budget over a multi-year period; and

- (d) That the Hamilton Fire Department's three year business plan be updated for the increased reserve fund repayment; and
- (e) That these recommendations be forwarded to the Transition Board for consideration and approval. **CARRIED.**

Section D-4 Re: Amalgamation of Fire Services

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman Copps. -1. **CARRIED.**

Section D-10 Re: Tax Levy By-law

It was moved by Alderman Charters and seconded by Alderman Caplan that the following be added as Section D-10 to the Finance and Administration Committee:

D-10 Tax Levy By-law

- (a) That Bill D-030 being a By-law to Levy Taxes for the Year 2000 be enacted; and,
- (b) That in the event that the approval of the Transition Board is not received for the inclusion of \$9. 0 million in revenues from the Hamilton Hydro Commission with the City's year 2000 Current Budget:
 - (i) That the Year 2000 Current Budget for the City of Hamilton, as approved on November 24, 1999 be amended to exclude revenues from the Hamilton Hydro Commission in the amount of \$9.0 million; and,
 - (ii) That the Year 2000 tax levy in the amount of \$116,423,000 be approved; and,
 - (iii) That in response to the Transition Board not approving the use of hydro revenues that Bill D-030 be rescinded and that Bill D-031 be enacted in its place. **CARRIED.**

NOMINATING COMMITTEE**RESOLUTION****Re: Hydro Restructuring Money – Transition Board – Use of Monies**

It was moved by Alderman Anderson and seconded by Alderman Wilson that the Standing Committee Chairmen be directed to prepare an appropriate response regarding the \$9 million hydro restructuring money and the transition boards decision and the use of these funds to offset the City of Hamilton Tax Rate and attempt to poll members of City Council on endorsement prior to this response being sent out.

CARRIED.

NOTICE OF MOTION FROM PREVIOUS MEETING

Free on Street Parking in the Downtown Core

Alderman Collins Notice of Motion was withdrawn and the following action was subsequently moved:

It was moved by Alderman Collins and seconded by Alderman Caplan that staff prepare a report for the September 5, 2000 meeting of the Committee of the Whole (Transport and Environment Committee) to determine the financial implications of providing free on street parking in the Downtown Core for the months of November and December, 2000.

CARRIED.

NOTICE OF MOTION FROM PREVIOUS MEETING

Smoking in Public Places and the Workplace

Declaration of Interest – Alderman Horwath

Alderman Horwath declared personal interest in, took no part in the debate and refrained from voting on this matter as her husband has a restaurant.

* * * * *

It was moved by Alderman Eisenberger and seconded by Alderman Caplan that Sub-section (i) of Section (a) of the Notice of Motion respecting Smoking in Public Places and the Workplace to extend the date of compliance to March 31, 2001, be tabled in order that City Council, the Restaurant Association and Restaurant Owners, and the Transition Board, and the Council on Smoking and Health come together to fashion a harmonized by-law and report back by September 30, 2000.

It was moved by Alderman Copps and seconded by Alderman D'Amico that the tabling motion be amended to delete the reference to the Transition Board.

CARRIED AS AMENDED.

Motion as amended.

It was moved by Alderman Charters and seconded by Alderman Haining:

That the following amendments to By-law 98-140 be approved:

- (a) That By-law No. 98-140 respecting Smoking in Public Places and the Workplace be amended by:
 - i) extending the date for restaurants to provide designated smoking areas or to become smoke free from "May 31, 2000" in Subsection 5(2) and inserting the date of "March 31, 2001" in lieu thereof. **TABLED IN ORDER THAT CITY COUNCIL, THE RESTAURANT ASSOCIATION, THE RESTAURANT OWNERS, AND THE COUNCIL ON SMOKING AND HEALTH COME TOGETHER TO FASHION A HARMONIZED BY-LAW AND REPORT BACK BY SEPTEMBER 30, 2000.**
 - ii) removing the word "patios" from the sixth line of part (a) of the definition of "public place" under section 1 of the by-law
 - iii) inserting the following subsection (2) of Section 1 of the by-law:
 - "(2) Notwithstanding the provisions of this by-law, smoking is permitted in that part of a restaurant or the area operated as a restaurant, which part of area is an outdoor patio, and which patio lacks either a roof or walls, other than up to two walls which walls are the exterior of a wall of the restaurant."
- (b) That the appropriate by-laws to amend By-law 98-140 be passed and enacted;
- (c) That in all other respects By-law 98-140 as amended is confirmed without change

NOTICE OF MOTION FOR NEXT MEETING

Transition Board – Review Board Recommendations – Approval Process

Alderman Eisenberger gave notice that he would move at the next meeting of City Council the following motion respecting the Transition Board:

“That the Council of the City of Hamilton agree to meet with the Transition Board to review the Board Recommendations and to define an approval process to deal with the recommendations we can agree on, on or before August 30, 2000.”

Private and Confidential Agenda

E-1 Unassumed Alley at 55 Melrose Avenue South

E-1 Information Report dated June 19, 2000 from Rand Roszell, Corporate Counsel respecting an unassumed alley at 55 Melrose Avenue South.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that staff report Items A-1 to E-1, the Report of the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico. –15.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 1:35 p.m.

Taken as read and approved,

Acting Mayor O'Sullivan

**K. C. Christenson, Acting Municipal Clerk
July 4, 2000**

KCC/dg

RECOMMENDATIONS

To the Council of the Corporation of the City of Hamilton

Members of Council:

The following recommendations are presented for consideration:

TRANSPORT AND ENVIRONMENT COMMITTEE

A-1 Routine Traffic Amendments to the City of Hamilton Traffic By-law 89-72 – City Committee of the Whole Meeting – July 4, 2000 (PWT00126)

That the requests for routine amendments, attached as Appendix “A” hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

A-2 Hunter Street East, east of James Street South, and Young Street, east of James Street South – Parking Regulations (PWT00116)

- (a) That a portion of the existing “No Parking” loading zone on the south side of Hunter Street East be replaced by one-hour parking meters commencing 60 feet east of James Street South and extending to a point 65 feet easterly; and,
- (b) That the existing fulltime “No Parking” regulation on the north side of Young Street between James Street South and John Street South be replaced by two-hour parking meters; and,
- (c) That the existing “No Stopping, 4pm to 6pm, Monday to Friday” regulation on both sides of Young Street between James Street South and John Street South be removed; and,
- (d) That the City Traffic By-law 89-72 be amended accordingly.

A-3 Intersection of James Street North and Picton Street, City of Hamilton – Traffic Signal Installation (TOE00010)

- (a) That a Pedestrian Priority Traffic Signal be installed on James Street North at Picton Street in the City of Hamilton;
- (b) That the Committee of the Whole be requested to recommend a source of funding;

- (c) That in accordance with the Guidelines issued, this Report does not require Transition Board approval.

A-4 Westdale Village B.I.A. – “Dance the Night Away” Street Dance – Friday, September 8, 2000 (PWT00128)

That the application by the Westdale Village B.I.A. to temporarily close King Street West and parkettes between Marion and Paisley on Friday, September 8, 2000 between 4:30 pm and 12:00 midnight, to hold their annual “Dance The Night Away” street dance, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police, or his designate, be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and
- (b) That prior to the event, the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police, or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That “Temporary Road Closure” signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the Alcohol and Gaming Commissioner of Ontario (ACGO) be advised that the City of Hamilton is aware of the application by The Westdale Village B.I.A. to serve alcohol on the north and south side parkettes adjacent to King Street West between Marion and Paisley, from

5:30 pm to 12 midnight on September 8, 2000 and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event; and

- (j) That the applicant be granted an exemption from the City of Hamilton's Noise By-law No. 79-292 to allow music to be played until 12 midnight for this event and that a noise control officer monitor the event and be in attendance if necessary, at the expense of the applicant; and
- (k) The applicant will reimburse the City for the loss of parking meter revenues (if any) as determined by the Manager of Community Traffic and Parking Services.

A-5 Petition to Remove Aberdeen Avenue from the "Through Street" System (PWT00083)

- (a) That no action be taken on the request to remove the "through street" designation on Aberdeen Avenue between Longwood Road and Dundurn Street; and
- (b) That the Regional Transportation Services Committee be advised of this recommendation as Aberdeen Avenue is a Regional Road in this area.

A-6 Locke Street South – Various Sidewalk Encumbrances (PWT00114)

That Report PWT00114 respecting Locke Street South – Various Sidewalk Encumbrances, be received.

A-7 To Incorporate certain City Land into Various Streets by By-laws (TOE00011)

- (a) That the following City land be incorporated into the following streets:

Appleblossom Drive	Part 3, save and except Part 2	62R-13389 62R-14168
Eaglewood Drive	Parts 1, 4, 5, 8, 9, 11, 15 and 16	62R-15419
Elmore Drive	Part 4	62R-14109
Meadowpoint Drive	Block 23	62M-853
Piano Drive	Block 38	62M-778
Ferguson Avenue	Part 3	62R-15301

Rebecca Street

Part 2

62R-15305

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,
- (c) That the General Manager of Transportation, Operations & Environment be authorized and directed to register the by-laws; and,
- (d) That in accordance with the Guidelines issued, this Report does not require Transition Board approval.

A-8 Declaration of Surplus Property – 583 Upper Wellington Street – Municipal Car Park #9a (PWT00110)

- (a) That 583 Upper Wellington Street, Municipal Carpark #9a, described as Lot 27 and part of Lot 26, Plan 572, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That the Real Estate Division be authorized and directed to negotiate the sale of this property to the abutting owners in accordance with the Real Property Sales Procedural By-law No. 95-049. **REPLACED.**

A-9 Referral from Regional Council - \$1,000 Permit Fee for Film and Television Production (PDR00123)

- (a) That the Regional Municipality of Hamilton-Wentworth eliminate the \$1,000 Occupation fee on road allowances as it pertains to the Film, Television and Commercial Production Industry filming on the Regional road allowance; and,
- (b) That all Film, Television and Commercial Production Companies must continue to be charged the appropriate road and lane closure fees, actual cost of services provided by City/Region departments and the actual cost of policing. **AMENDED.**

A-10 Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-035 Being a By-law to incorporate City land designated as Part of Block 30 on Plan 62M-710, being Part 3 on Plan 62R-13389, save and except Part 2 on Plan 62R014168 into Appleblossom Drive.

- (b) A-036 Being a By-law to incorporate City land designated as Parts 1, 4, 5, 8, 9, 11, 15 and 26 on Plan 61R-15419 into Eaglewood Drive
- (c) A-037 Being a By-law to incorporate City land designated as Part 4 on Plan 62R-14109 into Elmore Drive
- (d) A-038 Being a By-law to incorporate City land designated as block 23 on Plan 62M-853 into Meadowpoint Drive
- (e) A-039 Being a By-law to incorporate City land designated as Block 38 on Plan 62M-778 into Piano Drive.
- (f) A-040 Being a By-law to incorporate City land designated as Part 3 on Plan 62R-15301 into Ferguson Avenue.
- (g) A-041 Being a By-law to incorporate City land designated as Part 2 on Plan 62R-15305 into Rebecca Street.
- (h) A-042 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (i) A-043 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (j) A-044 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (k) A-045 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.

A-11 That the following items be received for information:

- (a) Minutes of the June 19, 2000 meeting of the Transport and Environment Committee
- (b) Department of Public Works and Traffic Smog Response Plan 2000 (PWT00127)
- (c) Royal Canadian Mint – Issuance of New Canadian Coins (PWT00130)

A-12 Temporary Road Closure - Robert Street - August 25-27, 2000

That the application by the Lighthouse Restaurant to temporarily close Robert Street between James Street and Hughson Street from Friday, August 25, 2000 at 6:00 p.m. to Sunday, August 27, 2000 at 11:00 p.m., to hold the second annual Lighthouse Summer Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the applicant be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight on Friday, August 25 and Saturday, August 26, during the event, and that a City of Hamilton Noise By-law officer be in attendance, if necessary, throughout the event, at the expense of the applicant; and
- (j) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by the Lighthouse Restaurant located at 221 James Street, to serve alcohol on the road allowance of Robert Street, from Friday, August 25, 2000 at 6:00 p.m. to Sunday, August 27, 2000 at 11:00 p.m. and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

ADDED.

A-13 Proposed Unopened Road Allowance Closure – Bedford Avenue – City Initiative

That the City Initiative to stop-up, close and sell Bedford Avenue, north of Rymal Road (including two 0.305m reserves), be approved, subject to the following conditions:

- (a) That Item 23 of the 7th Report of the Transport and Environment Committee as adopted by City Council on 1990 May 08, be rescinded; and
- (b) That the Acting Commissioner of Public Works and Traffic be directed to prepare a By-law to stop-up, close and sell Bedford Avenue (including two 0.305m reserves); and
- (c) That the Acting Commissioner of Public Works and Traffic be directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to section 44 of the Regional Municipalities Act, R.S.O. 1990; and
- (d) That a reference plan be prepared and registered under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that a reproducible copy of said plan be deposited with the Regional Surveyor; and
- (e) That Parts 26, 27, 28, 29, 32, 33, 34, 35 and 36 on Plan 62R-12578 be confirmed/declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and
- (f) That Real Estate, Legal Services Section, be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law 95-049; and
- (g) That the Municipal Clerk be directed to publish a notice pursuant to section 300 of the Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law. **ADDED.**

A-14 Temporary Road Closure – Hess Street South, between Main Street and King Street, for the Annual Hess Village Jazz Festival

That the application of the Hess Village Performing Arts Association to temporarily close Hess Street between Main Street and King Street from Thursday, July 20,

2000 at 10:00 a.m. until Monday, July 24, 2000 at 10:00 a.m. to hold the Annual Hess Village Jazz Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and
- (b) That prior to the event, the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City at the expense of the event organizer; and
- (g) That no property owner, resident or customer within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the AGCO be advised that the City of Hamilton is aware of the application of the Gown and Gavel for a temporary extension of its liquor licence to serve alcohol on the road allowance of Hess Street commencing on Thursday, July 20, 2000 to Sunday, July 23, 2000 from 11:00 a.m. to 12 midnight inclusive and the City has no objection to the AGCO issuance of the appropriate liquor licence for this event; and
- (j) That the applicant be granted an exemption from the City of Hamilton's Noise By-law No. 79-292 to allow music to be played until midnight, commencing on Thursday, July 20, 2000 to Saturday, July 22, 2000 inclusive and that a Noise Control Officer monitor the event and be in attendance if necessary, at the expense of the applicant; and

- (k) That amplified sound, including set up, testing and performance will not begin until 11:00 a.m. and will cease at 11:00 p.m. on all days of the week, except Sundays where the amplified sound will not begin prior to 12:00 noon and will cease at 10:00 p.m.; and
- (l) That the applicant may seek an exemption to the City's Noise By-law 79-292 to allow amplified noise to continue until 12:00 midnight but only for Thursday, Friday and Saturday nights; and
- (m) That no other music be played outside of any establishments, at any time pursuant to the City of Hamilton Zoning By-law. This includes outdoor speakers and/or live music; and
- (n) That the level of sound amplification created by the bands on the stage shall not exceed 85 db (peak) at any time and 80 db after 11:00 pm (when permitted to exceed the 11:00 pm noise by-law). These levels to be monitored at the sound stage. **ADDED.**

Recorded vote on main motion.

YEAS: Acting Mayor O'Sullivan, Aldermen Caplan, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -8.

NAYS: Aldermen Kiss, Horwath, Morelli, Haining, Copps, Wilson, Jackson. -7. **CARRIED.**

PARKS AND RECREATION COMMITTEE

B-1 Sale of Alcoholic Beverages in Globe Park - Hamilton and District Slo-Pitch League (CSC00108)

- (a) That approval be given to the Hamilton and District Slo-Pitch League to sell alcoholic beverages at Globe Park on August 19, 2000 from 12:00 p.m. to 11:00 p.m. by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence and the Municipal Alcohol Risk Management Policy; and,
- (b) That Section 9 of Report 07-00 of the Parks and Recreation Committee as adopted by City Council at its meeting held May 9, 2000, be amended by changing the previously approved Tournament dates and approvals to sell alcoholic beverages in Globe Park by the Hamilton and District Slo-Pitch League from September 15 and 16, 2000 to September 16 and 17, 2000 from 12:00 p.m. to 11:00 p.m.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman Jackson. -1 .

CARRIED.

B-2 Sale of Alcoholic Beverages - Mohawk Sports Park - Hamilton Hornets Rugby Club - August 13, 2000 (CSC00115)

That approval be granted to the Hamilton Hornets Rugby Club to sell alcoholic beverages at Mohawk Sports Park on August 13, 2000 by Special Occasion Permit only and in accordance with the Terms and Conditions of the Licence and the Municipal Alcohol Risk Management Policy.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman Jackson. -1 .

CARRIED.

B-3 Amusement Rides in Parkdale Park - Approval Required by Parks By-law No. 95-126 (CSC00111)

That approval, as required by Parks By-law No. 95-126 and under the standard Terms and Conditions of the Special Events Guidelines, be given to Big A Amusements to hold amusement rides as a fundraiser in Parkdale Park for Queenston Parent Drop In Centre from July 6-9, 2000 from 12:00 noon to 11:00 p.m.

B-4 Information Item

That the following item be received for information:

- (a) Minutes of the Parks and Recreation Committee for its meeting held June 19, 2000

B-5 Gage Park - Fieldhouse (PWT00135) (P&R)

- (a) That the Mayor and Acting Municipal Clerk be authorized to execute a Licence Agreement and a Financing Agreement with the Friends of Gage Park/Gage Park Baseball Association in a form satisfactory to Corporate Counsel; and,
- (b) That approval be given to issue a purchase order to Lael Construction, Hamilton, in the amount of \$133,124 including \$12,000 contingency, plus \$7,924 G.S.T. for the construction of the fieldhouse at Gage Park being the lowest of three (3) tenders received in accordance with specifications C11-2900 issued by the Purchasing Division and vendor's tender; and,
- (c) That the amount of \$133,124 for construction of the fieldhouse be funded as follows: \$83,124 from the Reserve for Red Hill Valley and \$50,000 to be paid by the Friends of Gage Park/Gage Park Baseball Association; and, **REFERRED TO THE FINANCE AND ADMINISTRATION COMMITTEE TO DETERMINE THE METHOD OF FINANCING.**
- (d) That this recommendation be referred to the Transition Board for approval.

B-6 Sam Manson Park – Fieldhouse Expansion (PWT00136) (P&R)

- (a) That the Mayor and Acting Municipal Clerk be authorized to execute a Licence Agreement and a Financing Agreement with the East Hamilton Soccer Club and Sam Manson Bocci Association in a form satisfactory to Corporate Counsel; and,
- (b) That approval be given to issue a purchase order to G.S. Wark, Hamilton, in the amount of \$87,715 including an \$8,000 contingency, plus \$5,215 G.S.T. for the expansion of the fieldhouse at Sam Manson Park being the lowest of three (3) tenders received in accordance with specifications C11-2900 issued by the Purchasing Division and vendor's tender; and,
- (c) That the amount of \$87,715 for expansion of the fieldhouse be funded as follows: \$72,715 from the Reserve for Red Hill Valley, \$10,000 from East Hamilton Soccer Club, and \$5,000 from the Sam Manson Bocci Association. **ADDED.**

JUL 20 2000

GOVERNMENT DOCUMENTS

PLANNING AND DEVELOPMENT COMMITTEE

C-1 Request for a removal of the 'H' Holding Provision for lands located at No. 220 Dundurn Street South ZAR-00-19 (PDC00121)

- (a) That the approval be given to Zoning Application ZAR-00-19, Adam J. Stelmadzynski (Dundurn Street Lofts Inc.), owner, for removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit conversion and expansion of an existing building for 60 residential apartment units, for lands located at No. 220 Dundurn Street South, as shown on the attached map marked as Appendix "A"; and,
- (b) That the Director, Land Development Department, Community Planning and Development Division, be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 98-24, and Zoning District Map W-23 for presentation to City Council.

C-2 Request for removal of the 'H' Holding provision for lands located at No. 54-56 Alanson Street ZAC-0020 (PDC00122)

- (a) That the approval be given to Zoning Application ZAR-00-20, Alanson Lofts Inc, (c/o Ray Wein), owner, for removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit conversion the existng two (2) storey building into a multiple dwelling containing six (6) dwelling units, for lands located at No. 54-56 Alanson Street, as shown on the attached map marked as Appendix "B"; and,
- (b) That the Director, Land Development Department, Community Planning and Development Division be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 99-136, and Zoning District Map E-14 for presentation to City Council.

C-3 Core Heritage 2000 Program-173 King Street East, Hamilton (HSB00010)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of twenty thousand dollars (\$20,000) to 683469 Ontario Ltd., registered owner of 173 King Street East, be approved.

C-4 Proposed Site Plan Control By-law for lands located at No. 164 Limeridge Road East - (PDC00117)

- (a) That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by

By-law No. 87-223, be further amended by adding the lands located at No. 164 Limeridge Road East, as shown on the attached Appendix "C".

- (b) That the General Manager of the Community Planning and Development Division be directed to prepare the necessary By-law, to amend By-law No. 79-275, in a form satisfactory to Corporate Counsel, for presentation to City Council.

C-5 Site Plan Fees – Hamilton Beach Strip (PDC00119)

That City Council establish a special site plan fee of \$1,130 (equivalent fee of a revision to a site plan) for single and two family dwellings development along the Hamilton Beach strip (outside the proposed Heritage Conservation District area) that require the submission of a site plan and grading plan only.

C-6 Re-zoning for the South East Corner of Sanatorium Road and Scenic Drive ZAC-00-17 (PDC00105) (previously tabled from June 21, 2000 meeting)

That approval be given to Zoning Application ZAC-00-17, Columbia International College, applicant, requesting a further modification to the "AA" (Agricultural) District to permit the conversion of the existing building for use as a student dormitory for Columbia International College, for property located at the south east corner of Sanatorium Road and Scenic Drive, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the "AA" (Agricultural) District regulations, as contained in Section 7A of Zoning By-law No. 6593, as amended by By-law No. 96-152, be further modified to the extent only of the special requirement that:
 - (i) Notwithstanding Section 4(a) of By-law 96-152 applicable to the subject lands, a private student residence for not more than 250 students attending Columbia International College shall be permitted only within the existing building;
 - (ii) For the purposes of this By-law, a "Student Residence" means a building used for the purpose of accommodating students in dwelling units or other separate quarters provided that such building may include common areas and cooking and dining facilities;
 - (iii) Notwithstanding Section 18A (1) of By-law No. 6593, not less than 200 parking spaces shall be provided and maintained on the lot;

- (b) That the amending by-law be added to Section 19 of Zoning By-law No. 6593, as Schedule S-1363c, and that the subject lands on Zoning District Map W-36 be notated S-1363c;
- (c) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-36 for presentation to Council; and,
- (d) The proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area. **LOST.**

C-7 Bills:

That the following Bills be adopted, sealed, signed and enrolled as By-laws:

- (a) C-040 A By-law To Amend Zoning By-law No. 6593 As Amended By Zoning By-law No. 98-24 Respecting Lands Located at Municipal No. 220 Dundurn Street South.
- (b) C-041 A By-law To Amend Zoning By-law No. 6593 As Amended By Zoning By-law No. 99-136 Respecting lands located at Municipal Nos. 54 and 56 Alanson Street.
- (c) C-042 A By-law To Establish Site Plan Control Respecting land located at Municipal No. 164 Limeridge Road East.

C-8 Information Items

That the following items be received for Information:

- (a) Minutes of the June 21, 2000 meeting of the Planning and Development Committee
- (b) Downtown Hamilton Business Improvement Area (BIA) Revised Board of Management (PWT00122)

C-09 Proposed Public/Private Agreement for the Auchmar Buchanan Estate

- (a) That the Agreement of Purchase and Sale, duly executed on June 18, 1999, by the purchaser, 1333786 Ontario Ltd, and the vendor, Cervarano Developments Ltd. and V & R Investments Inc., which agreement was assumed by the City of Hamilton on October 22, 1999, for the lands known as part lot 15, Concession 4, former Barton TWP, City of Hamilton and consisting of approximately 3.55 acres, be amended by extending the

closing date of this transaction from July 30, 2000 to on or before September 28, 2000. All other terms and conditions contained in the Agreement of Purchase and Sale to remain the same and that time remains of the essence.

- (b) That the date for entering into a Public/Private Agreement for the entire Auchmar property, as approved by the Planning and Development Committee at its meeting on May 18, 2000, be extended from July 7, 2000 to on or before September 22, 0. All other terms and conditions contained in the May 18 recommendation to remain the same and that time remains of the essence.
- (c) That the Commissioner of Legal Services be authorized and directed to take the appropriate action in dealing with this matter. **ADDED.**

C-10 Setay Investments – 1441- 1477 Upper James Street

That approval be given to the request by Setay Investments, owner, at 1441-1477 Upper James Street, as shown on the attached map marked as Appendix "A", for a further extension to the approval of Site Plan Control Application DA-97-30 to January 6, 2001, and that at the end of this period, if a Building permit has not been issued, the proposed development must be subject to a new Site Plan Control Application. **ADDED.**

C-11 Sale of Chedoke Hospital Lands - Health Sciences

- (a) That the Ministry of Health be notified that the Chedoke lands are being sold off piece by piece; and,
- (c) That the City request a moratorium on the sale of lands until a healthcare usage plan is developed by Health Sciences. **ADDED.**

FINANCE AND ADMINISTRATION COMMITTEE

D-1 Addition of First Real Properties Limited, new owner of 18-32 James Street South, the City's MacNab Street truck tunnel easements

In connection with the sale of the Royal Bank office building and adjacent land, at 18-32 James Street South, it is recommended:

- (a) That the City, as owner of the MacNab Street truck tunnel that abuts the rear of and is used by the said James Street office building, grant its consent to Canadian Realty Revenue Properties Ltd., to:
 - (i) assign its easement in the City's MacNab Street truck tunnel, to the new owner of 18-32 James Street South, subject to the requirements in this resolution (easement dated November 1, 1990 and registered as Instrument Nos. 073575 and LT297202);
 - (ii) assign its easement in the City's underground Areaway which links the said tunnel with the property known as 18-32 James Street South; (easement dated June 13, 1972, section 3(g); and,
- (b) That the City issue an Estoppel Certificate to the new owner of 18-32 James Street South property, to confirm that the MacNab Street truck tunnel easement and areaway easement are in good standing, such Certificate to be prepared in a form satisfactory to Corporate Counsel; and,
- (c) That the foregoing be subject to the following conditions:
 - (i) the new owner enters into an Assumption Agreement with the City;
 - (ii) satisfactory evidence of corporate authority for the foregoing and solicitors' opinions and such third party consents as the Corporate Counsel may advise;
- (d) That the Mayor and Acting Municipal Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel.

D-2 Request for Authority to Issue Tenders for Purchase of Two Rapid Response Units - Hamilton Fire Department (CSC00110)

- (a) That the Fire Chief be authorized to issue tenders for the acquisition of two Rapid Response vehicles in accordance with Purchasing Policy guidelines with said vehicles to be deployed in the downtown area of the City of Hamilton as per the concepts outlined in the Fire Department Three Year Business Plan; and,
- (b) That a budget of \$450,000 be established for these purchases; and,
- (c) That the \$450,000 cost of two Rapid Response vehicles be funded from the Capital Reserve for Motorized Equipment Replacement (Project ID

100040); and that the above noted reserve be repaid the \$450,000 from the Fire Department operating budget over a multi-year period; and

- (d) That the Hamilton Fire Department's three year business plan be updated for the increased reserve fund repayment;and **AMENDED.**
- (e) That these recommendations be forwarded to the Transition Board for consideration and approval.

D-3 Sale of Fire Grumman Aerial Truck (CSC00109)

- (a) That in accordance with the Hamilton Fire Department Business Plan, and as a result of the tender process conducted in accordance with City Purchasing Policy, that the bid of \$250,000 exclusive of taxes for Aerial Truck No. 4, 1992 Grumman Aerial truck from the City of Peterborough be accepted; and,
- (b) That the proceeds from the sale of the vehicle be applied to COHAM47606-480051002 Fire Vehicle Apparatus Replacement; and,
- (c) That the recommendations contained in this report be forwarded to the Transition Board for approval.

D-4 Amalgamation of Fire Services (CSC00114)

- (a) That Hamilton City Council support the June 5th, 2000 resolution of the Town of Dundas and June 29th 2000 resolution of the Town of Ancaster:

"That the Transition Board be requested to initiate Region wide discussions to amalgamate the area Municipal Fire Departments into a single department, rather than wait until January 1, 2001"; and
- (b) That Council support the June 29th 2000 recommendation of the Town of Ancaster:

"That Council request that the City of Hamilton allow Chief Glen Peace to be designated Chief of the Ancaster Department."; and
- (c) That Chief Peace be remunerated by the City of Hamilton on an hourly rate basis for this additional duty which shall be over and above his current duties; and

- (d) That the Hamilton Fire Department be authorized to provide additional services to the Town of Ancaster from the Administration, Mechanical, and Operations Divisions on an "as required" basis, beyond the terms of the Mutual Aid Agreement; and
- (e) That an appropriate agreement between the Town of Ancaster and the City of Hamilton be drafted to the satisfaction of Corporate Counsel and include the following conditions:
 - (i) There will be no reduction of service in the City of Hamilton
 - (ii) The City of Hamilton will be fully reimbursed for all services rendered to the Town of Ancaster via monthly invoices; and,
- (f) That these recommendations be forwarded to the Transition Board for consideration and approval.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman Copps. -1.

CARRIED.

D-5 Funding Source for Traffic Signal Installation at the Intersection of James Street North and Picton Street, in the City of Hamilton (FIN00077)

- (a) That as referred to in Section A-3 of the Committee of the Whole/City Council report being presented to its meeting being held on July 4, 2000, that the cost of installation of a Traffic Signal at James Street North at Picton Street be funded from within the approved 2000 Capital Budget Project – Traffic Signal Modernization (approved amount - \$66,000), and if the additional project cannot be absorbed from within the approved overall Corporate Capital budget, then lastly will come from the Capital Projects – General Reserve (COHAM 100015); and,
- (b) That as per the regulation made under the City of Hamilton Act, 1999, the project be referred to the Transition Board for consideration since it was not included in the initial approved 2000 budget for capital projects.

D-6 Authorization to enter into an Extension Agreement on a specific property for the payment of realty tax arrears (FIN 00080)

- (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owner of the property at 57 Fairholt Road South to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
- (b) That the By-law to authorize the said Extension Agreement be enacted by City Council; and,
- (c) That the Mayor and the Acting Municipal Clerk be authorized to execute the aforesaid By-law and Extension Agreement.

D-7 1999 City of Hamilton Financial Statements

That the 1999 City of Hamilton Audited Financial Report be received.

D-8 Bills

- (a) Bill D-028 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (b) Bill D-029 A By-law to confirm the proceedings of City Council
- (c) Bill D-030 A By-law to Levy Taxes for the Year 2000. **ADDED.**
- (d) Bill D-031 A By-law Respecting permitting smoking at outdoor restaurant patios. **ADDED.**

D-9 That the following items be received for information:

- (a) Minutes of the meeting of the Joint Meeting Session of the City Finance and Administration Committee and the Region Finance and Administrative Services Committee held on Tuesday, June 6, 2000
- (b) Minutes of the meeting of the Joint Meeting Session of the City Finance and Administration Committee and the Region Finance and Administrative Services Committee held on Tuesday, June 20, 2000
- (c) Information Report – Acting City Manager – Telephone Contact with City Hall – Customer Service (CM0016)

D-10 Tax Levy By-law

- (a) That Bill D-030 being a By-law to Levy Taxes for the Year 2000 be enacted; and,
- (b) That in the event that the approval of the Transition Board is not received for the inclusion of \$9.0 million in revenues from the Hamilton Hydro Commission with the City's year 2000 Current Budget:
 - (i) That the Year 2000 Current Budget for the City of Hamilton, as approved on November 24, 1999 be amended to exclude revenues from the Hamilton Hydro Commission in the amount of \$9.0 million; and,
 - (ii) That the Year 2000 tax levy in the amount of \$116,423,000 be approved; and,
 - (iii) That in response to the Transition Board not approving the use of hydro revenues that Bill D-030 be rescinded and that Bill D-031 be enacted in its place. **ADDED.**

PRIVATE AND CONFIDENTIAL AGENDA

E-1 55 Melrose Avenue South – Unassumed Alley (T&E)

NOMINATING COMMITTEE

F-1 Appointment of the Chairman of the Committee of the Whole

That Alderman Anderson be appointed Chairman of the Committee of the Whole for the months of September, October and November, 2000.

Ward 2

- (a) William Pinkney, 6 Ravenscliffe Avenue, has requested that the existing full-time "No Parking" regulation on the west side of Ravenscliffe from Aberdeen to 122 feet southerly be extended an additional 150 feet in front of his property.
- (b) Peter Howison, 310 Caroline Street South, has requested that the existing "Permit Parking" regulation on the west side of Caroline, in front of his home, be removed as he is moving.
- (c) Ly Tran, owner of King Pharmacy, 85 Hess Street North, has requested that the existing "No Parking" regulation on the west side of Hess in front of the store be changed to a full-time "30 Minute Parking Time Limit" regulation.

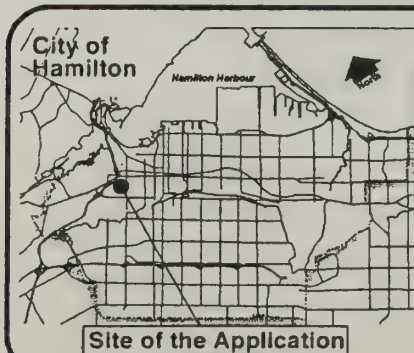
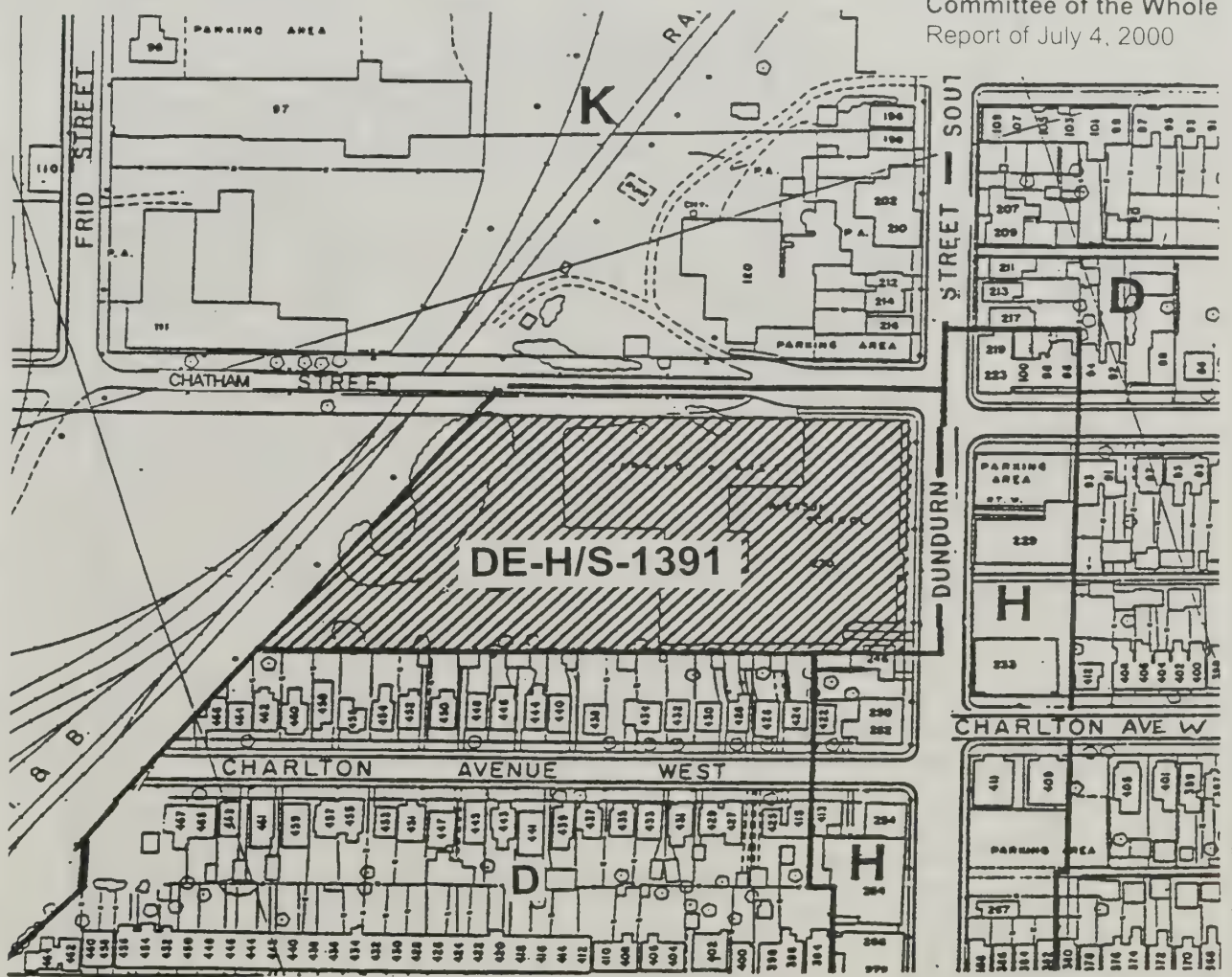
Ward 4

- (a) Mrs. Pater, 21 Bayfield Avenue, has requested that a "Wheelchair Loading Zone, 8:00 am to 6:00 pm, Seven Days a Week" regulation be implemented on the west side of Bayfield, directly in front of her home, as she requires the use of DARTS vehicles.
- (b) Adele Rayment, Administrator of Lloyd George Elementary School, 360 Beach Road, has requested that a "School Bus Loading Zone, 7:00 am to 6:00 pm, Monday to Saturday" regulation be implemented on the west side of Agincourt, adjacent to the school.

Ward 7

- (a) Alderman Terry Anderson has forwarded a petition signed by representatives of 15 of the 20 homes abutting East 21st between Franklin and the south property line of No. 391 East 21st Street requesting that an "Alternate Side Parking" regulation be implemented on this section of East 21st. Fourteen of the residents are in favour of the requested regulation and one is opposed.

Appendix "A" referred to in Section C-1 of the Committee of the Whole Report of July 4, 2000



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

 Site of the Application

Reference file:
ZAR-00-19

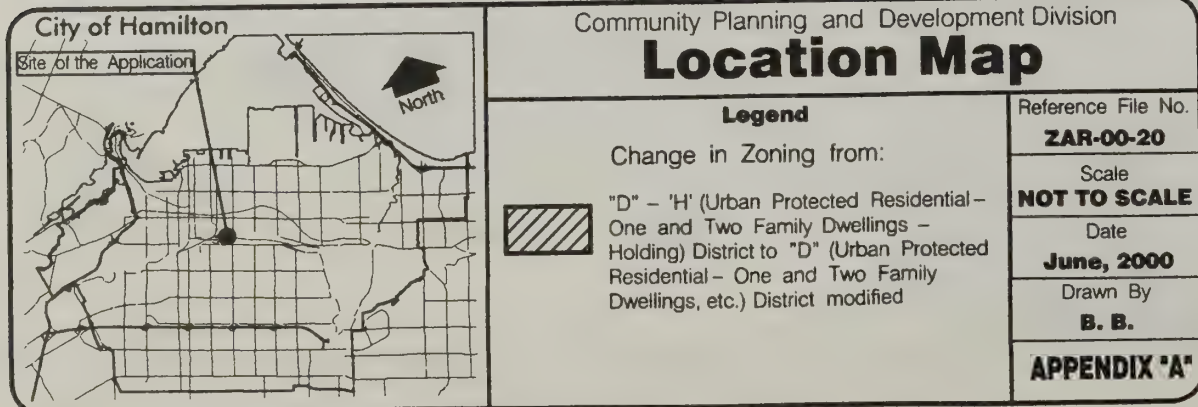
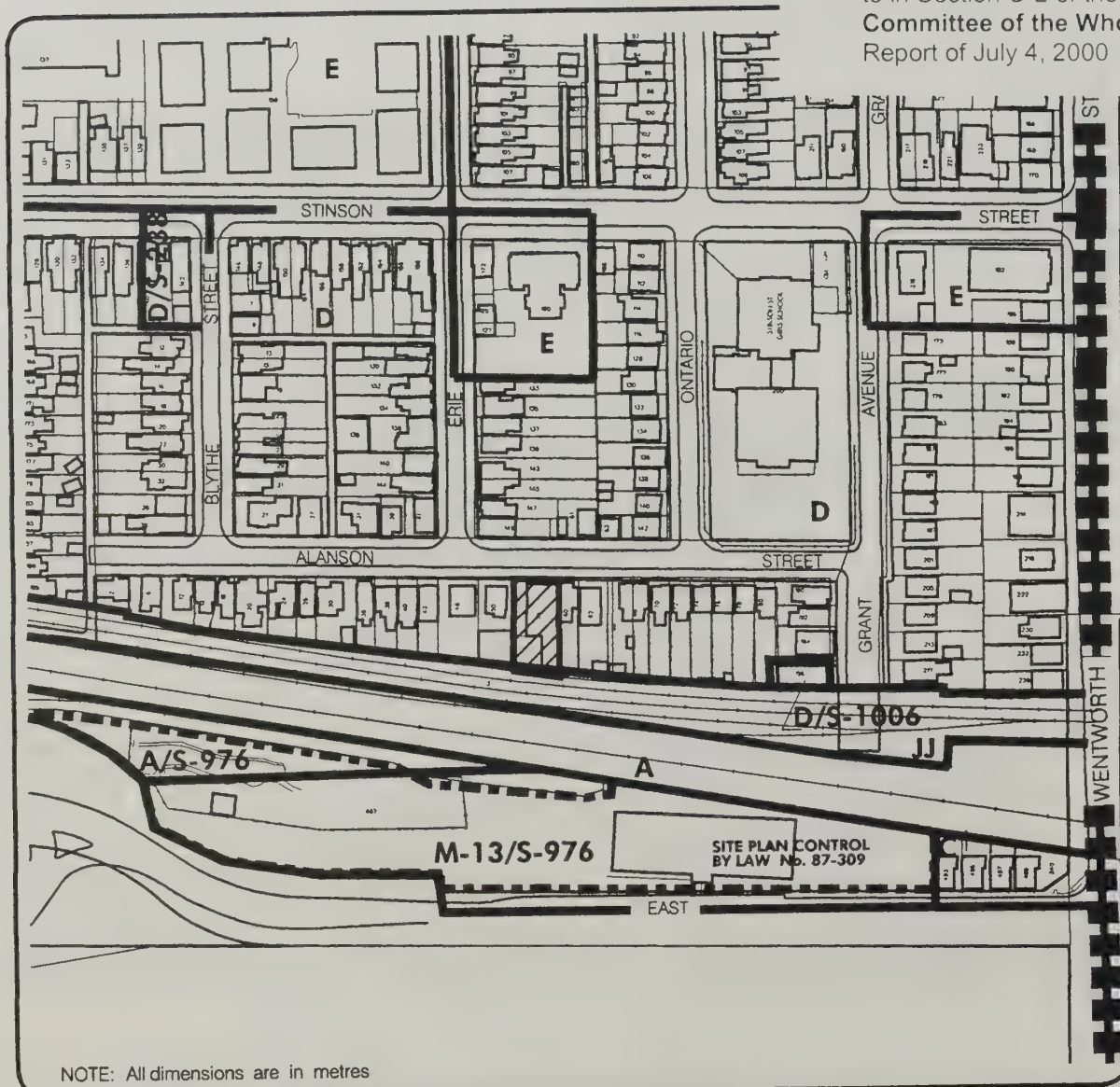
Scale
Not to Scale

Date
JUNE, 2000

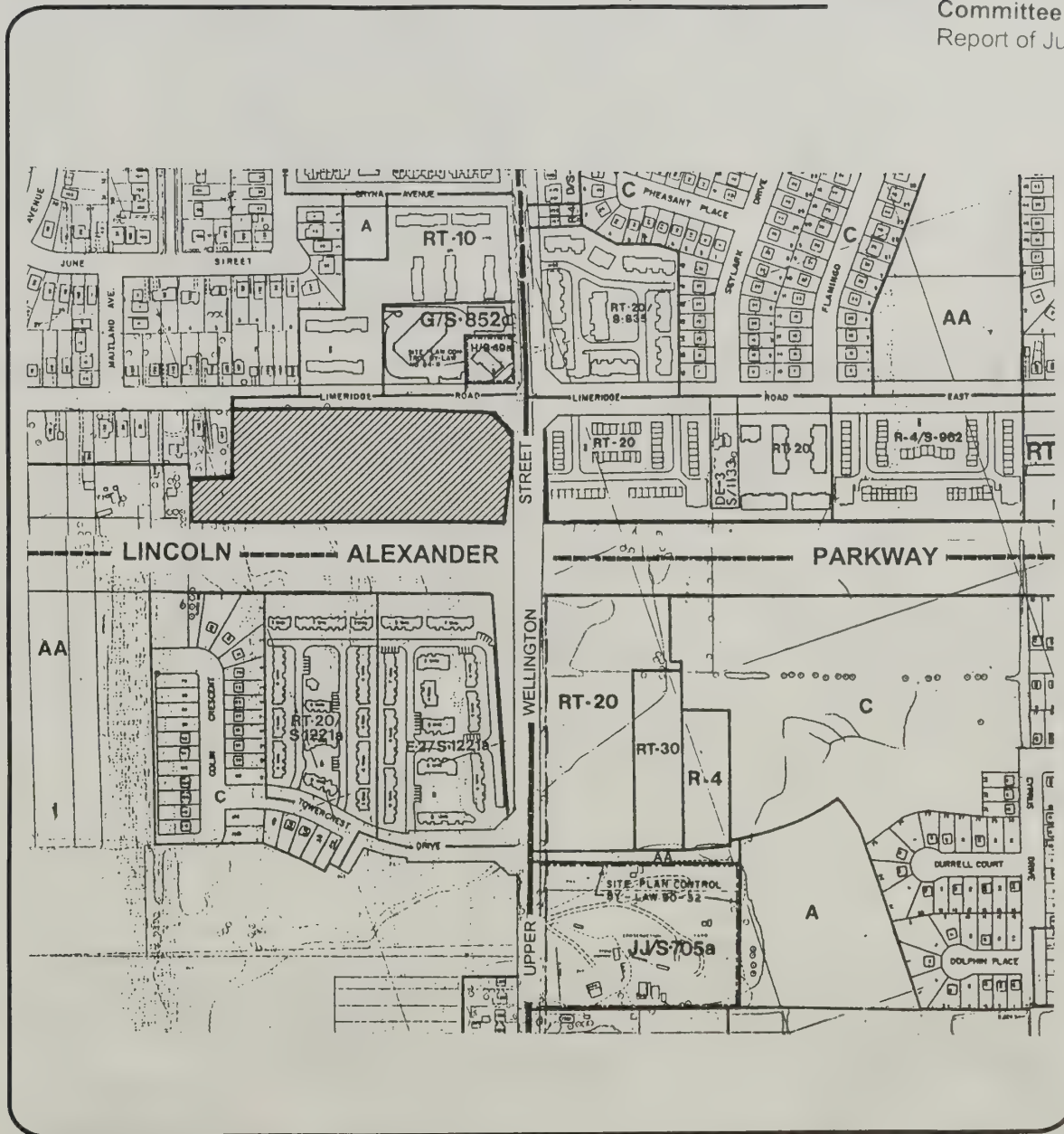
Technician:
D.L.

APPENDIX

Appendix "B" referred
to in Section C-2 of the
Committee of the Whole
Report of July 4, 2000

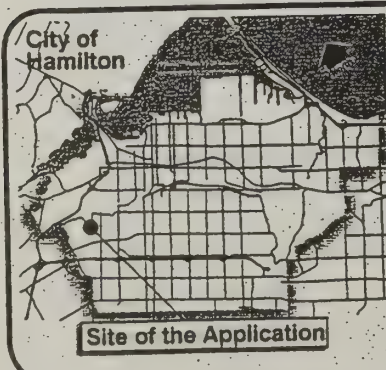
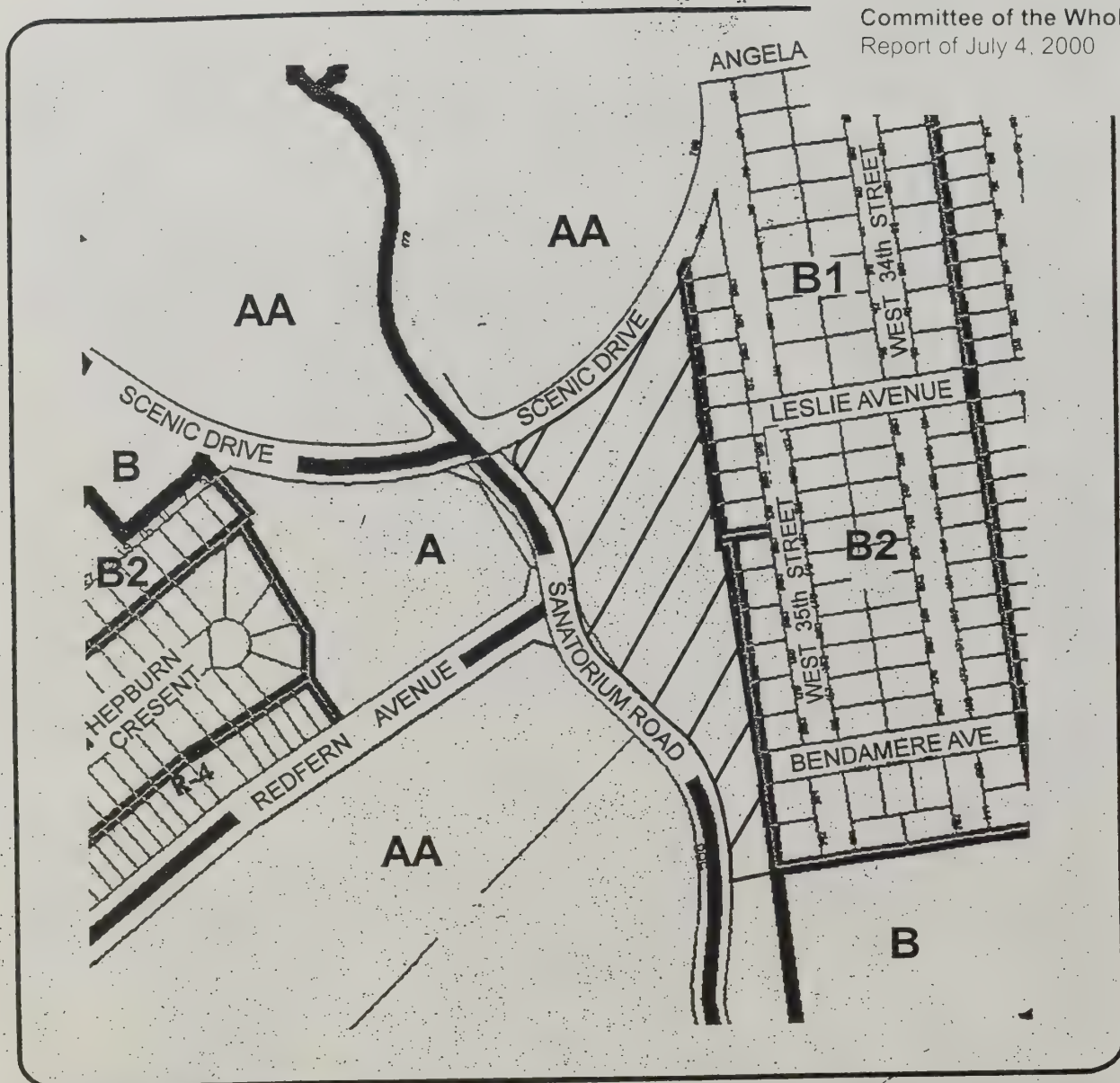


Appendix "C" referred to in Section C-4 of the Committee of the Whole Report of July 4, 2000



City of Hamilton Hamilton Harbour Site of the Application	COMMUNITY PLANNING AND DEVELOPMENT DIVISION Location Map	
	Lands to be placed under Site Plan Control	
	Reference file:	
	Scale Not to Scale	
	Date June 2000	
Technician: PB		

Appendix "D" referred to in Section C-6 of the Committee of the Whole Report of July 4, 2000



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map



Site of Application

Further modification to the "AA" (Agricultural District.)

Reference file:
ZAC-00-17

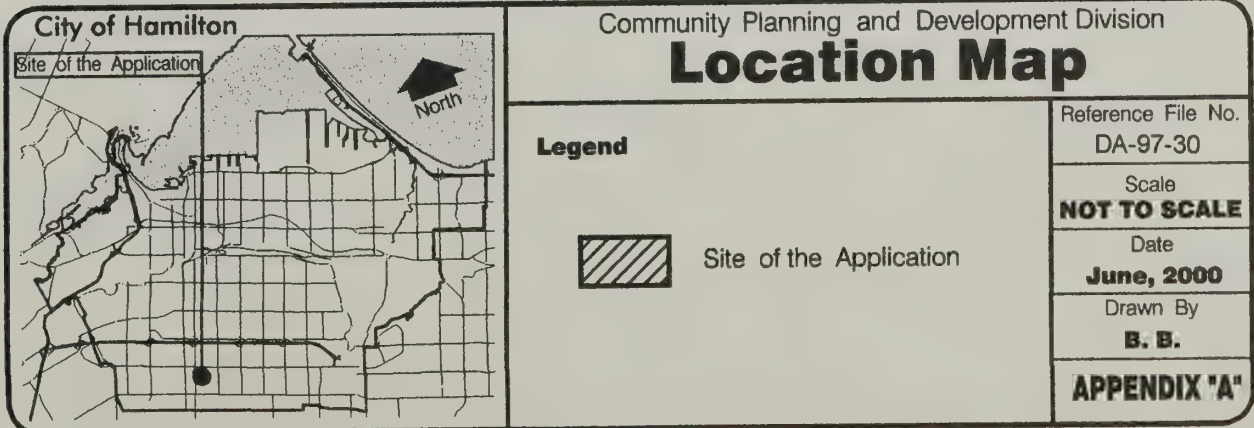
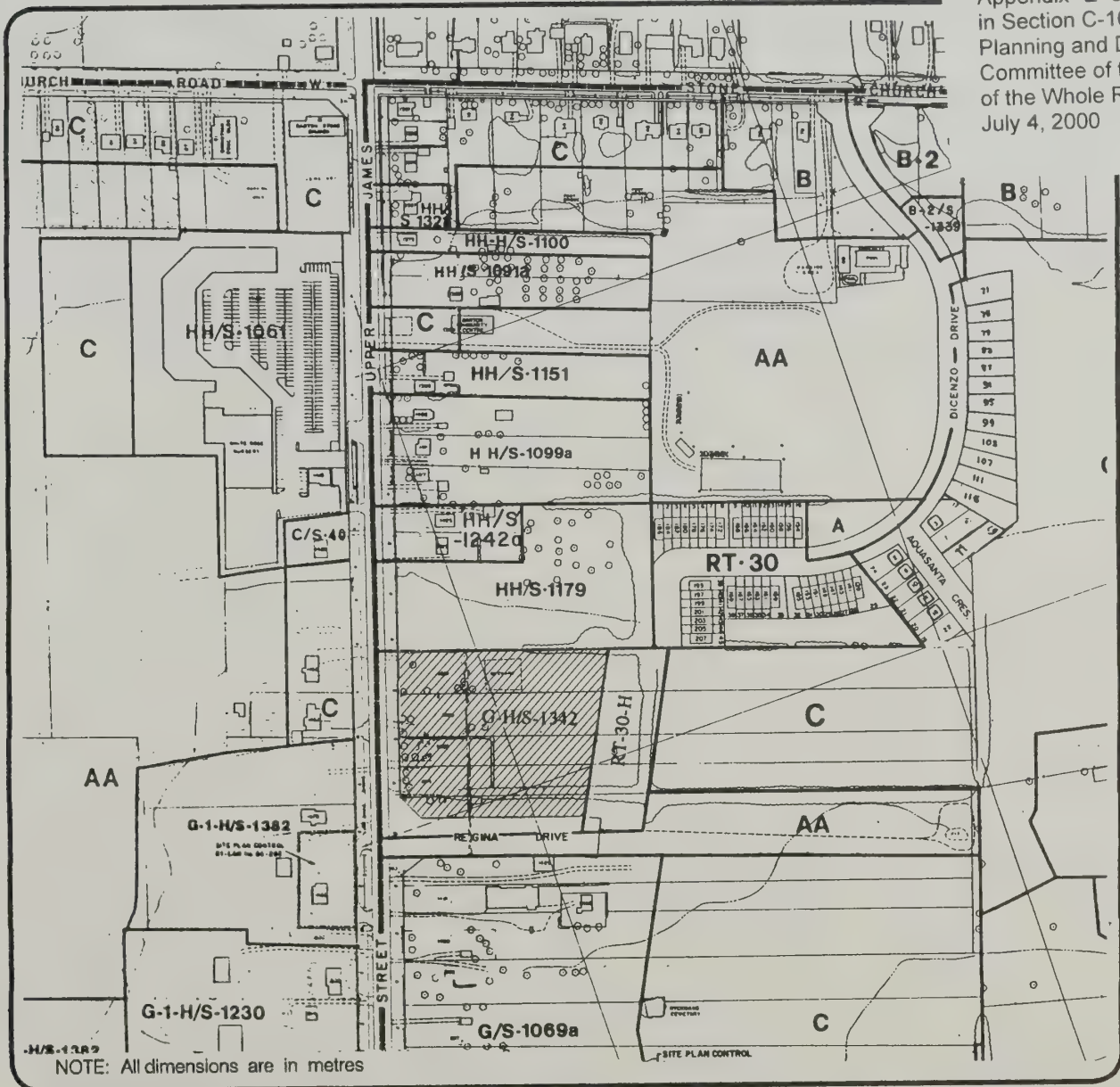
Scale
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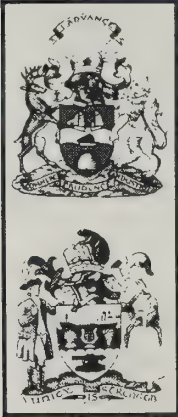
Date
May, 2000

Technician:
JS

APPENDIX 'A'

Appendix "E" as referred to in Section C-10 of the Planning and Development Committee of the Committee of the Whole Report on July 4, 2000





MINUTES

CITY OF HAMILTON CITY COUNCIL

Wednesday, August 9, 2000
2:00 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. M. Morrow;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, C. Collins, F. Eisenberger, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman G. Copps – civic business
Alderman T. Jackson – civic business

Mayor R. M. Morrow called the meeting to order.

ADOPTION OF MINUTES

The Minutes of the regular meeting held July 4, 2000 were adopted as circulated.

CORRESPONDENCE

1. Letter dated July 18, 2000 from Kevin Christenson, Acting Municipal Clerk advising of an objection to City of Hamilton By-law 00-084 respecting property at 130 Bay Street South.

Received.

2. Letter dated July 26, 2000 from Kevin Christenson, Acting Municipal Clerk advising of an objection to City of Hamilton By-law 00-097 respecting property at 801 and 803 King Street West and 80, 86 and 90 Carling Street, Hamilton, Ontario.

Received

3. Letter dated July 26, 2000 from Kevin Christenson, Acting Municipal Clerk advising of an objection to City of Hamilton By-law 00-105 respecting property at 1489 to 1523 Upper James Street, Hamilton, Ontario.

Received

4. Application dated June 28, 2000 from Janet Lynn MacLennan and Kenneth Robert MacLennan, 148 Rymal Road West, Hamilton for a change in zoning from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, modified for the property located at the rear of 148 Rymal Road East, Hamilton, Ontario.

Received.

5. Application dated June 30, 2000 from Angelo and Leonarda Palazza and Maryann and Antonio Arolotta, 166 and 158 Stone Church Road West, Hamilton for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at 158 and 166 Stone Church Road West, Hamilton, Ontario.

Received.

6. Application dated June 30, 2000 from Hi-Tech Banking Facilities Inc., (Nick Cutaia), Ancaster, Ontario for a change in zoning from "A" (Agricultural) District (Block 1) and "C" (Urban Protected Residential, etc.) District (Blocks 2 and 3) to "HH" (Restricted Community Shopping and Commercial) District for lands located south of Strawberry Drive and east of Lake Avenue and known municipally as 917-921 Queenston Road.

Received.

7. Application dated July 18, 2000 from Chedoke Health Corporation for a further modification to the "AA" (Agricultural) District Regulations for property at the Southeast corner of Chedmac Drive and Redfern Avenue, Hamilton, Ontario.

Received.

8. Letter dated July 26, 2000 from Susan L. Steele, Town Clerk, Town of Dundas respecting "Committee" to Guide "New" Council.

Referred to the Finance and Administration Committee.

It was moved by Alderman Kiss and seconded by Alderman Horwath that Council move into Committee of the Whole to permit consideration of the Reports of the Transport and Environment Committee and the Planning and Development Committee with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

Re: Rule 3 (d) Waiving Rules for the calling of a special meeting

It was moved by Alderman D'Amico and seconded by Alderman O'Sullivan that Rule No. 3 (d) of the City Procedural By-law respecting the notice required for calling of a special meeting of City Council, be waived.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, O'Sullivan.-14.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 12-00**Item 1 Re: Walcorp Inc. – Application for Approval of a Provisional Certificate of Approval for a Waste Disposal Site**

It was moved by Alderman D'Amico and seconded by Alderman O'Sullivan that Section 1 of Report 12-00 of the Transport and Environment Committee be referred back to the next Transport and Environment Committee meeting to be held September 11, 2000 re: Walcorp Inc. Certificate of Approval for 675 Strathearne Avenue. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 13-00**RESOLUTIONS****Re: Negotiate the transfer of city land on Beach Boulevard adjacent to the Beach Rescue Unit**

That staff be directed to negotiate the transfer of City land on Beach Boulevard adjacent to the Beach Rescue Unit to the Beach Rescue Unit to the satisfaction of all parties and in discussion with all parties. **CARRIED.**

Re: Tatto Committee

It was moved by Alderman Wilson and seconded by Alderman Morelli:

- (a) That the City of Hamilton supports the Tattoo Committee in its plans and for its future events; and
- (b) That the Transition Board be advised of the City's support and encouraged to recommend funding for this event for the year 2000. **CARRIED.**

Re: Hamilton Harbour Commissioners – Draft Agreement

It was moved by Alderman Charters and seconded by Alderman Collins:

- (a) That the negotiators for the City be authorized to finalize with the negotiators for the Hamilton Harbour Commissioners, a Draft Agreement which addresses the business issues outlined in the letter from M. Philip Tunley of McCarthy Tetrault to Gary Graham of Gowling Lafleur dated July 28, 2000; and,
 - (b) That this Draft Agreement be presented to City Council for approval on or before October 27, 2000; and,
 - (c) That in the event that no such Draft Agreement can be finalized and approved by October 27, 2000, legal counsel for the City be authorized to resume proceedings in Action No. 4820/98.
- CARRIED.**

* * * * *

Re: Coach House Restaurant at Dundurn Castle – part-time positions

It was moved by Alderman Morelli and seconded by Alderman Kiss that the following recommendation be approved:

That permission be granted for the General Manager of Community Services Division, Department of Culture and Recreation to advertise externally to fill two part-time vacant Server positions at the Coach House Restaurant at Dundurn Castle.” **CARRIED.**

* * * * *

Rule 9 Re: Exemption of realty taxes - Ontario Workers Arts and Heritage Centre

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution to approve a By-law respecting the exemption of the Ontario Workers Arts and Heritage Centre from Realty Taxes. **CARRIED.**

* * * * *

Re: Exemption of realty taxes - Ontario Workers Arts and Heritage Centre

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the attached by-law to Authorize the signing of an Agreement with Ontario Workers Arts and Heritage Centre Inc. to operate and manage the Ontario Workers Arts and heritage Centre (the "Facility") located in Hamilton, Ontario and to exempt such municipal capital facility from taxation for municipal and school board purposes, be approved.

CARRIED.

Rule 9 Re: Beach Boulevard Surplus Properties

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Beach Boulevard Surplus Properties.

CARRIED.

Re: Beach Boulevard Surplus Properties

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 5 of Report 13-00 of the Finance and Administration Committee approved by City Council on June 27, 2000 respecting the Declaration of Surplus Lands – Hamilton Beach (CS00024) (Item 18) be amended to delete the following:

21. 163 Beach Blvd. 25 X 102

CARRIED.

Rule 9 Re: Funding Source for Gage Park Fieldhouse

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the funding source of Gage Park – Fieldhouse.

CARRIED.

Re: Funding Source for Gage Park Fieldhouse

It was moved by Alderman Wilson and seconded by Alderman Morelli that the following motion respecting a Funding Source for Gage Park - Fieldhouse - be approved:

- (a) That as referred to in Section B-5 of the Committee of the Whole report approved by City Council at its meeting held July 4, 2000, that \$83,124 of the construction cost of the Gage Park fieldhouse (total cost = \$133,124 and \$50,000 to be paid by the Friends of Gage Park/Gage Park Baseball Association) be funded from within the approved 2000 Capital Budget Project - Red Hill Valley Recreation and Open Space Masterplan (Approved amount = \$600,000), and if the additional project cannot be absorbed from within the approved overall Corporate Capital budget, then lastly will come from the Reserve for Capital Projects - General (COHAM 100015); and,
- (b) That this recommendation be referred to the Transition Board for approval.

CARRIED.

NOTICE OF MOTION FROM PREVIOUS MEETING

Alderman Eisenberger gave notice that he would move at the next regular meeting of City Council the following motion:

"That the Council of the City of Hamilton agree to meet with the Transition Board to review the Board recommendations and to define an approval process to deal with the recommendations we can agree on, on or before September 30, 2000.

WITHDRAWN.

* * * * *

Re: Transition Board Recommendations

It was moved by Alderman Charters and seconded by Alderman Eisenberger:

- (a) That Council will review recommendations of the Transition Board as they are forwarded to us.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Caplan:

- (b) That Council direct the City Manager and the Chairman of the Finance and Administration Committee, Mayor Morrow and Mr. George Rust-D'Eye to have the Transition Board not proceed with posting any further positions for hire beyond the executive positions of General Managers of the new City as it is beyond their mandate.

CARRIED.

* * * * *

Re: Move in-camera to hear legal counsel respecting outstanding issues concerning the Rennie Street Landfill Site.

It was moved by Alderman Wilson and seconded by Alderman Corsini that Council move in-camera to hear legal counsel respecting outstanding issues concerning the Rennie Street Landfill Site. **CARRIED.**

It was moved by Alderman Wilson and seconded by Alderman Corsini that Council move out of camera. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsinii, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan -15.

NAYS: -0. **CARRIED.**

Note: The meeting adjourned at 4:50 p.m.

Taken as read and approved,

Mayor R. M. Morrow

**K. C. Christenson, Acting Municipal Clerk
August 9, 2000**

KCC/dg



REPORT

CITY OF HAMILTON SPECIAL MEETING OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

Wednesday, August 9, 2000
9:00 a.m.

Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, F. D'Amico

Absent with regrets: Mayor R. M. Morrow
Alderman T. Anderson

Also Present: Alderman G. Copps
B. Price, C. Guthro, M. Hazell, J. Bruzzese, F. Westaway,
D. Onishi, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 12-00 AND RESPECTFULLY RECOMMENDS:

1. Walcorp Inc. – Application for Approval of a Provisional Certificate of Approval for a Waste Disposal Site (Processing) at 675 Strathearne Avenue (PDC00136) (Item 2)

- (a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton objects to the Application of Walcorp Inc. for Approval of a Provisional Certificate of Approval for a Waste Disposal Site (Processing) (Ministry File 3555-4JRRMB) at No. 675 Strathearne Avenue, as shown on the attached map marked as Appendix "A";
- (b) That the West Central Branch of the Ontario Ministry of the Environment be advised of Council's decision;

- (c) That the West Central Branch of the Ontario Ministry of the Environment be requested to forward a copy of its final decision respecting the Application of Walcorp Inc. for Approval of a Provisional Certificate of Approval for a Waste Disposal Site (Processing) at 675 Strathearne Avenue (Ministry File 3555-4JRRMB) to the Acting Municipal Clerk, City of Hamilton. **REFERRED BACK TO THE TRANSPORT AND ENVIRONMENT COMMITTEE**

2. Routine Amendments to the City Traffic By-law 89-72 – Transport and Environment Committee Meeting – August 9, 2000 (PWT00131) (Item 3)

That the requests for routine amendments, as listed in Appendix "B" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

3. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) **A-046 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.**
- (b) **A-047 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic.**

FOR THE INFORMATION OF COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Other Business (Item 4)

(i) Truck Traffic – Glow/Mead-Burgess/Brighton Streets

Alderman D. Wilson requested that staff bring a report back to the Committee on the feasibility of erecting special signs on Glow Avenue, Mead Avenue, Burgess Avenue and Brighton Avenue to control truck traffic.

(ii) Patio Café Applications

Alderman D. Horwath requested the status of patio café applications. Staff indicated that it is anticipated that reports will be presented at the September 5, 2000 Committee of the Whole meeting.

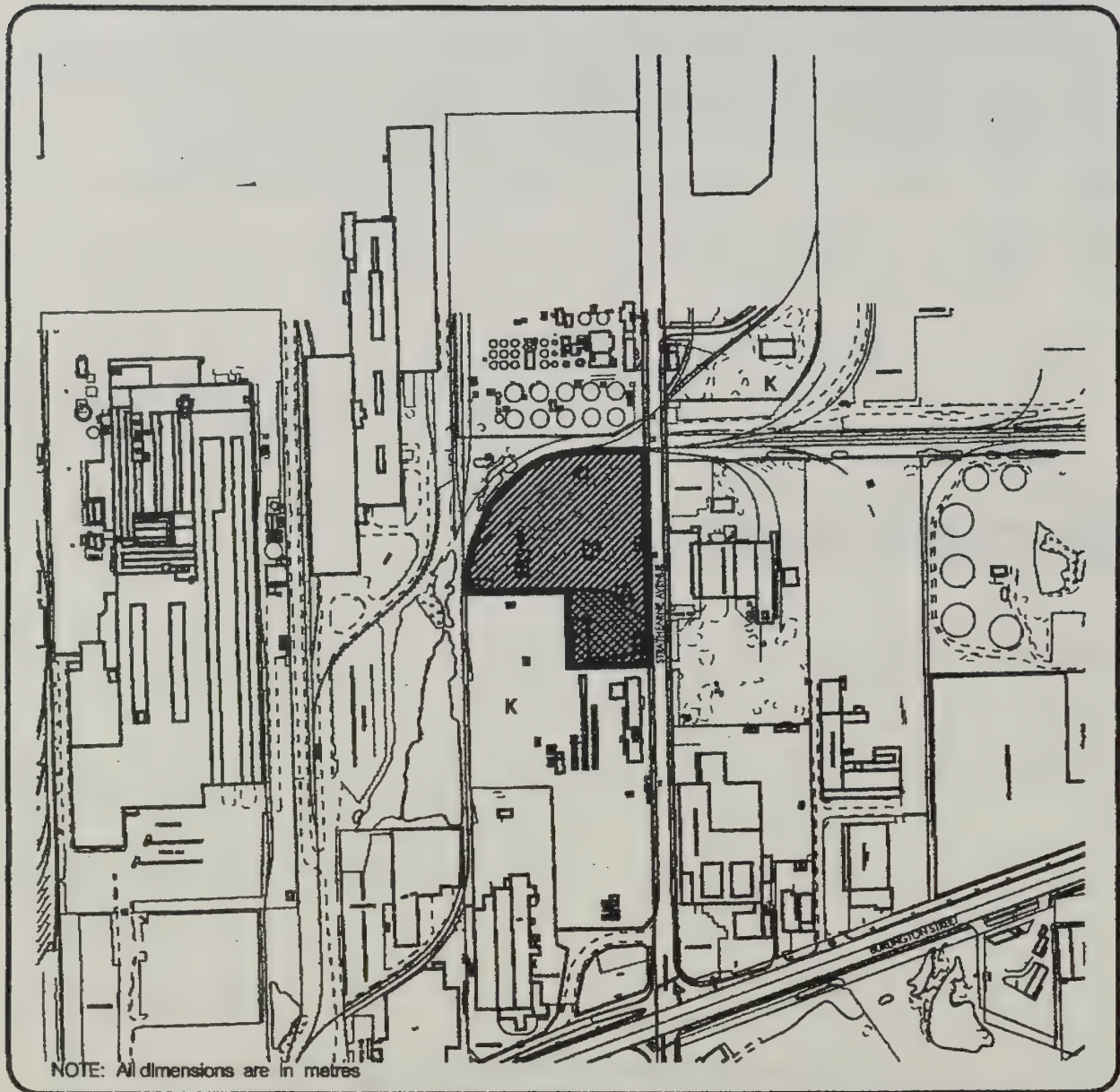
(iii) Enforcement of By-law – Feeding of Pigeons on Residential Property

B. Price expressed concern regarding the feeding of pigeons on residential properties. Staff was directed to expedite the possibility of including enforcing any by-laws in respect of this matter.

Note: The meeting of the Transport and Environment Committee adjourned at 9:25 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
August 9, 2000**



City of Hamilton Site of the Application		Community Planning and Development Division Location Map	
Legend - Proposed Waste Disposal Site (Processing) - No. 675 Strathearn Avenue		Reference File No.	MOE COA 00-02
		Scale	NOT TO SCALE
		Date	June, 2000
		Drawn By	JS
		APPENDIX 'A'	

Appendix "B" as referred to in
Section 2 of Transport and Environment
Committee Report 12-00

Ward 1

- (a) Kathleen Coleman, 279 Barton Street West, has requested that the existing "Permit Parking" regulation on the south side of Barton, directly in front of her home, be removed as she has moved.
- (b) Ester Levy, 53 Uplands Avenue, has requested that northbound and southbound stop control be implemented at the two "T" type intersections of Bond and Franklin.
- (c) Alderman Mary Kiss has advised of a request from Mrs. Golakovich, 14 Hollywood Avenue North, that the existing "No Parking" regulation on the west side of Hollywood, north of Main, be changed to a "No Stopping" regulation to prohibit motorists from stopping in this area. The concern is related to stopped vehicles obstructing driveway movements. Kelly Roberts, Manager of Colour Your World, 1556 Main Street West, has advised that she supports the requested regulation change adjacent to her business.

Ward 2

- (a) Robert Cadham, 206 Hughson Street North, has requested that the existing "Permit Parking" regulation on the east side of Hughson, in front of his home, be removed as he has moved.
- (b) Arthur Taylor, 226 Hughson Street North, has requested that the existing "Permit Parking" regulation on the east side of Hughson, in front of his home, be removed as he no longer drives.
- (c) Ly Tran, Pharmacist, 85 Hess Street North, has requested that a "30 Minute Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation be implemented on the south side of Peter to provide a turnover in parking for customers. The property abutting the subject area is vacant.
- (d) Norman Duvall, 446 Mary Street North, has requested that a reserved "Permit Parking" regulation be implemented in front of his home since his wife, Jean Smith, is disabled.

Ward 3

- (a) Mrs. Zadvorny, 284 Grosvenor Avenue North, has requested that the existing "Permit Parking" regulation, directly in front of and across from her house, be removed as the resident has passed away.

Ward 4

- (a) Sherri Blainey, 409 Fairfield Avenue, has requested that the existing "Permit Parking" regulation on the west side of Fairfield, in front of her home, be removed as she has moved.
- (b) Staff is recommending that southbound stop control be implemented at the recently constructed "T" type intersection of Delena and Central.
- (c) Gus Hynd, 32 Argyle Avenue, has requested that northbound stop control be implemented at the "T" type intersection of Edgar and Argyle and that southbound stop control be implemented at the "T" type intersection of Edgar and Campbell.
- (d) Gus Hynd, 32 Argyle Avenue, has requested that northbound stop control be implemented at the "T" type intersection of Carlisle and Argyle and that southbound stop control be implemented at the "T" type intersection of Carlisle and Campbell.

Ward 5

- (a) Alderman Chad Collins has advised of a request from Mr. Kosier, 191 Oakland Drive, that a "No Parking" regulation be implemented on the southeast side of the 90 degree bend of Oakland to improve visibility and two-way traffic flow in this area. Ms. Keating, 194 Oakland Drive, the resident abutting this area, is in favour of the requested regulation.
- (b) Staff recommends that the recently installed "Wheelchair Loading Zone, 7:00 am to 6:00 pm, Monday to Friday" regulation on the north side of Barlake be relocated to the south side adjacent to St. Joan of Arc School at the school Principal's request.

Ward 8

- (a) Joseph Tingle, 214 Columbia Drive, has requested that westbound stop control be implemented at the "T" type intersection of Verona and Columbia.
- (b) Terresa Spicer, 13 Briarwood Crescent, has requested that eastbound stop control be implemented at the "T" type intersection of Elmwood and Briarwood.
- (c) Heather Marsden has requested that stop control be implemented at the "T" type intersections of Hepburn and Chedmac and Chedmac and Redfern. Staff is recommending that stop control also be implemented at the "T" type intersections of Redfern and Jewel and Jewel and Hepburn/Gem.



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday August 9, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present:

Alderman A. Horwath, Alderman D. O'Sullivan, Alderman B. Morelli, Alderman T. Anderson, Alderman C. Collins, J. Bruzzese, L. Coveyduck, P. Mallard, P. Mason, B. Janssen, G. Paparella, C. Floroff, V. Grupe, D. Cumming, E. Switinky, D. Powers, P. Lampman, C. Guthro, H. Milsome, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 13-00 AND RESPECTFULLY RECOMMENDS:

**1. Zoning Application 95-07 and Site Plan Application 95-01 for "Miles Estate"
50 Miles Road (PDC00130) (item 2.1)**

A. (a) That approval be given to Subdivision Application 95-01 (Regional File No. 25T-95002), Stanlow Holdings Ltd., Steinnagel Construction Ltd. and Robert Shelly Construction, owners to establish a draft plan of subdivision "Miles Estates", on lands located south of Rymal Road East and west of Miles Road, known municipally as 50 Miles Road in the Broughton West Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:

- (i) That this approval apply to the plan prepared by A.J. Clarke and Associates Ltd. and certified by B.J. Clarke, O.L.S., dated December 17, 1999, showing 1 block for park purposes, 76 lots for single detached dwellings and 29 blocks to be developed with the

adjoining lands for single detached dwellings, and 26 lots for small lot single detached dwellings, 2 blocks being 0.30 m reserves and to establish 6 streets, attached as Appendix "B";

- (ii) That the owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
- (iii) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
- (iv) That the final plan conform with the Zoning By-law approved under the Planning Act;
- (v) That the owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan;
- (vi) That the streets be named based on the City of Hamilton reserved street name index to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth;
- (vii) That the streets be dedicated to the City of Hamilton;
- (viii) That the owner agree in writing that Blocks 103 – 131, inclusive, are to be developed in conjunction with the abutting lands shown as Blocks 156 – 158, "Shermal Estates" (Regional file No. 25T-94005);
- (ix) That Lots 36, 37 and 38 not be registered until such time as the applicant has submitted a conceptual lotting pattern for the abutting lands to the east of Street "B" and south of the future east-west street, known municipally as 94 – 114 Miles Road, to the satisfaction of the Manager, Development Planning, Community Planning and Development Division. The configuration of Lots 36, 37 and 38 shall comply with the approved conceptual lotting plan;
- (x) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (xi) That no portion of these lands is allowed to develop until a suitable storm and sanitary sewer outlet is available to service any portion of these lands directly;
- (xii) That the owner cost share in the preparation of an Environmental Assessment Study to establish a master stormwater management

plan for a study area to be determined to the satisfaction of the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division. The Environmental Assessment Study will address water quality and quantity issues in accordance with recognized best management practises (BMPs) and the Redhill Creek Watershed Study;

- (xiii) That prior to final registration of the plan of subdivision, or any construction or grading on the subject property, the proponent shall submit the following plans or reports to the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division:
 - 1) plans that show existing and proposed site grades and drainage;
 - 2) detailed stormwater management plans implementing the approved recommendations of the master stormwater management plan; and,
 - 3) erosion and siltation control plans, which show how exposed soils, sediments and eroded materials, will be retained on site during all phases of construction. Plans should include maintenance requirements for all employed devices.
- (xiv) That the owner shall agree in the executed subdivision agreement with the City, in wording acceptable to the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division:
 - 1) to carry out or cause to carry out the works referred in condition (xiii), to the satisfaction of the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division; and,
 - 2) To maintain all stormwater management and erosion and sedimentation control structures in good repair and operating order during the construction period, in a manner satisfactory to the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division;

- (xv) That the owner dedicate Block 132 to the City of Hamilton for Park purposes under the first phase of development with suitable access by Public Highway to the satisfaction of the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division;
- (xvi) That the number of lots be developed shall be restricted until such time as a second watermain feed is available in order to provide looping of the watermain to service this development to the satisfaction of the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division;
- (xvii) That, on a temporary basis, the maximum number of residential units proposed on this and/or any abutting development plan, to be serviced by a single road access, shall not exceed 100 residential units;
- (xviii) That the undesignated Street at the north west limit of the draft plan adjacent to Lot 1 and Block 103 be established to its full width of 20.0 metres with the establishment of Street "B" north of Street "C";
- (xix) That 9m radius transitions adjacent to Lots 24 & 25, 29 & 30, 64 & 65, 72 & 73, 93 & 94, and 101 & 102 be established on the final plan of subdivision;
- (xx) That a 2m by 2m daylight triangle is required from Lot 46;
- (xxi) That the access to Lot 38 be located at the westerly side of the lot;
- (xxii) That Street "A" align centreline to centreline with the midblock collector street in "Shermal Estates" draft plan of subdivision;
- (xxiii) That the lot depths and dimensions, street locations on Miles Estates plan of subdivision conform to "Shermal Estates" draft plan of subdivision since the alignment of Upper Sherman Avenue has been established on that plan to cross the Hydro Corridor in accordance with Hydro's requirements;
- (xxiv) That the radius of the lot line on Street "F" adjacent to Lot 38 not exceed 20m;
- (xxv) That access to Blocks 122 and 123 must be located outside of the daylight triangles at the intersection of Street "A" and Upper Sherman Avenue with access onto Street "A" only;

- (xxvi) That the owner dedicate a daylight triangle 5m by 5m adjacent to lot 39;
- (xxvii) That the development of any portion of these lands must include a street loop system for service vehicles, transit facilities, buses, etc.;
- (xxviii) That the owner dedicate a road widening on the final plan sufficient to the Region along Miles Road along Street "G";
- (xxix) That the design of the intersection of Street "G" and Miles Road, including the provision of the necessary daylight triangles on the north and south sides of Street "G", be to the satisfaction of the Manager, Development Engineering Section, Land Development Department, Community Planning and Development Division;
- (xxx) That Blocks 103 to 131, inclusive, cannot be developed until such time as Upper Sherman Avenue is established and constructed to its full designated Right of Way;
- (xxxi) That the owner submit a tree preservation plan to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (xxxii) That the owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands;
- (xxxiii) That the owner satisfy all requirements, financial and otherwise of the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAC-95-01/25T-95002), "Miles Estates", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met.
- (c) That the Acting Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division, of Council's decision;

- (d) That upon draft plan approval of Subdivision Application 95-01 "Miles Estates" by the Region of Hamilton-Wentworth, that the road pattern in the approved Broughton West Neighbourhood Plan be revised to reflect the road pattern as shown on the proposed plan of subdivision;
- B. That approval be given to amended Zoning Application ZAC-95-07, Stanlow Holdings Ltd., Steinnagel Construction Ltd. and Robert Shelly Construction, owners, for changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District (Block 1), from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block 2) and from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District (Blocks 3 and 4) for lands located south of Rymal Road East and west of Miles Road, known municipally as 50 Miles Road, in the Broughton West East Neighbourhood, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
 - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That Blocks "3" and "4" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District;
 - (d) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38E for presentation to City Council; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Zoning Application 00-15 for 30-40 Margaret Street (PDC00133) (Item 2.2)

That approval be given to Zoning Application ZAC-00-15, Valvasori Properties (in trust), owner, for changes in zoning from "DE" – 'H' (Low Density Multiple Dwellings - Holding) District to "DE" (Low Density Multiple Dwellings) District (Block 1) and from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District for lands known as 30 – 40 Margaret Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That Block "1" be rezoned from "DE" – 'H' (Low Density Multiple Dwellings - Holding) District to "DE" (Low Density Multiple Dwellings) District;

- (b) That Block "2" be rezoned from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District;
- (c) That Subsections 3(b), 3(c), 3(d) and 3(e) of Zoning By-law No. 98-116 be deleted in their entirety;
- (d) The "D" (Urban Protected Residential – One and Two Family, etc.) District provisions as contained in Section 10 of Zoning By-law 6593, as further amended by By-law 98-116, applicable to Block "2" of that By-law, is amended by deleting "7.50" in Subsection 4(a) Clause (iv), and replacing it with "6.05", so the entire clause reads as follows:

"(iv) 6.05m from the westerly lot line;"

- (e) That the "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the lands shown as Blocks 1 and 2, be modified to include the following variances, as special requirements:
 - (i) That notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - 1) a multiple dwelling containing a maximum of 14 Class A dwelling units within the building at the time of the passing of the by-law;
 - (ii) That notwithstanding Section 10A.(5) of Zoning By-law No. 6593, a minimum landscaped area unused for access or manoeuvring space or parking space or for any other purpose other than landscaping area including a playground of 125 m² shall be provided and maintained in the southerly side yard;
 - (iii) That notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 14 parking spaces shall be provided and maintained;
 - (iv) That notwithstanding Section 18A.(11) of Zoning By-law No. 6593, the boundary of every parking and manoeuvring area shall provide and maintain the following setbacks:
 - 1) not less than 1.5 metres from the easterly limits of Block 1;
 - 2) not less than 0.2 metres from the northerly limits of Block 1;
 - 3) 0.0 metres from the westerly limits of Blocks 1 and 2; and,
 - 4) 0.3 metres from the southerly limits of Block 2;

- (v) That notwithstanding Section 2.(2)J.(xb) of Zoning By-law No. 6593, a walkway having a maximum width of 1.2 m and a gazebo shall be permitted within the required landscaped area;
- (vi) That notwithstanding Section 18.(4)(iv) of Zoning By-law No. 6593, a gazebo shall be permitted within the southerly side yard;
- (f) That the Corporate Counsel be directed and authorized to prepare separate By-laws for the subject lands to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council; and,
- (g) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1402a, and that the subject lands on Zoning District Maps W-12 be notated as S-1402a;
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. Zoning Application 00-08 for 526 Upper Paradise Road (PDC00134) (Item 2.3)

- (a) That approval be given to Zoning Application 00-08, Lynwood Hall Child and Family Centre, owner, requesting a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified (Blocks "1" and "3") and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District, modified (Blocks "2" and "4"), to permit a childrens' residence, a related childrens' mental health centre, a 128 bed nursing home and a residential care facility for 172 seniors, for property located at 526 Upper Paradise Road, as shown on the attached map marked as Appendix "D", on the following basis:
 - (i) That Blocks "1" and "3" be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
 - (ii) That Blocks "2" and "4" be rezoned from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District;
 - (iii) That the "DE" (Low Density Multiple Dwellings) District regulations, as contained in Section 10A of Zoning By-law No. 6593, applicable to Blocks "1", "2", "3" and "4", be modified to include the following variances as special provisions:
 - 1) That notwithstanding Section 10A. (1) of By-law No. 6593, the following uses shall be permitted:

- A. A childrens' residence and services for a childrens' mental health centre on Blocks "1" and "2";
 - B. A nursing home for not more than one hundred twenty-eight (128) residents on Blocks "3" and "4"; and,
 - C. A senior citizens "residential care facility" for not more than one hundred seventy-two (172) residents on Blocks "3" and "4";
- 2) That for the purposes of this By-law, a senior citizens "residential care facility" means a residential care facility within which all residents are at least 60 years of age or older;
 - 3) That notwithstanding Section 2.(2)A.(xiiaa), a residential care facility and a nursing home may be combined in the same building;
 - 4) That a minimum 6.0 m wide landscape area shall be provided and maintained along the entire easterly lot line of Block "4" except for the areas used for access driveways;
 - 5) That a minimum 1.8 m wide landscape area shall be provided and maintained along the entire easterly lot line of Block "2" except for the areas used for access driveways;
 - 6) That minimum 1.2 m high and maximum 2.0 m high visual barriers shall be provided and maintained along the entire southerly lot lines of Blocks "3" and "4" and along the entire westerly lot lines of Blocks "1" and "3"; and
 - 7) Section 18A(14g) of Zoning By-law No. 6593 shall not apply to Block "2";
- (iv) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1449, and the subject lands on Zoning District Map W-37a be notated S -1449;
 - (v) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37a, for presentation to City Council;

- (vi) That these proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area;
 - (b) That the implementing By-law not be presented to City Council for adoption until such time as the applicant and/or land owner has obtained a private/public servicing easement over the adjacent lands, to the satisfaction of the Director, Land Development Division;
 - (c) That the Site Plan Control Application be approved on the basis of the following noise abatement measures: all construction is brick veneer; double glazing with air conditioned interior spaces; and, exterior amenity areas shall be in the courtyards or shall comply with the Ministry of Environment requirements; and,
 - (d) That approval of the zoning change be conditional upon:
 - (i) traffic concerns being addressed,
 - (ii) drainage concerns being addressed,
 - (iii) children's safety concerns being addressed, and,
 - (iv) a tree preservation plan being implemented.
- 4. Heritage Conservation District, (Nos. 869-1019 and 870-1064 Beach Boulevard, excluding 913 Beach Boulevard; including 2 Fourth Avenue) – Designation (PDC00125) (Item 2.4.1)**
- (a) That the City Council adopt the "Hamilton Beach Heritage Conservation District: Guidelines for Conservation and Change," prepared by Archaeological Services Inc., Wendy Shearer Landscape Architect Limited, and Sinisa Tomich Urban Designer, July, 2000, with the recommendations related to front yard setbacks on the bay side of the Beach as modified;
 - (b) That City Council give approval to designate by by-law the Hamilton Beach Heritage Conservation District under Part V of the Ontario Heritage Act; and,
 - (c) That the recommendations and implementation strategies contained in the "Hamilton Beach Heritage Conservation District: Guidelines for Conservation and Change", be undertaken by the appropriate departments and agencies.

5. City Initiative 00-D for 869-1019 and 870 – 1064 Beach Boulevard – further Modification in Zoning (PDC00124) (Item 2.4.2)

That approval be given to City Initiative 00-D, for further modifications to the "C" (Urban Protected Residential) District regulations, to establish a maximum front yard setback for the dwellings and garage/carport and to reduce the maximum height limitations on buildings and structures, for the lands located between Nos. 869-1019 and 870-1064 Beach Boulevard, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands located between Nos. 869-1019 and 870-1064 Beach Boulevard, as shown on the attached map marked as Appendix "E", be further modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 9(2) of Zoning By-law No. 6593, no building shall exceed 2 storeys and no structure shall exceed 9.0m, in height and;
 - (ii) That notwithstanding Section 9(3)(i) of Zoning By-law No. 6593, the maximum front yard depth for the dwelling shall not exceed 12 m;
 - (iii) for a dwelling with a carport or attached or detached garage, then the following provisions shall apply:
 - 1) that notwithstanding any other provision of this by-law or Zoning By-law No. 6593; the front wall of the carport or garage shall be located a minimum of 1.5m behind the main wall of the dwelling and in every case have a front yard depth of not less than 7.5m;
 - (iv) That Sections 18(2)(i) and 18(3)(iii) of Zoning By-law No. 6593 shall not apply;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1435a and 1436a, and that the subject lands on Zoning District Maps E-80e, and E-80f be notated S-1435a and 1436a;
- (c) That the Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-80e and E-80f for presentation to City Council; and,
- (d) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

6. Demolition of 12-14 Brantdale Avenue (PDC00127) (Item 4.1)

That the Acting Director of Building be authorized to issue a demolition permit for 12-14 Brantdale Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

7. Demolition of 1007 Upper James Street (PDC00128) (item 4.2)

That the Acting Director of Building be authorized to issue a demolition permit for 1007 Upper James Street in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

8. Demolition of 1472 Upper Gage Avenue (PDC00129) (item 4.3)

That the Acting Director of Building be authorized to issue a demolition permit for 1472 Upper Gage Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. Hamilton Emergency Loan Program, 157 Mead Avenue (HSB00012) (Item 4.4)

That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, eight hundred dollars (\$1,800) be approved for Joan West, 157 Mead Avenue. The interest rate will be 2 per cent amortized over 5 years.

10. Core Heritage 2000 Program, 197-199 King William Street (HSB00013) (Item 4.5)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of thirty-one thousand dollars (\$31,000) to Ferguson Station Inc., registered owner of 197-199 King William Street, be approved.

11. Revision to Council resolution regarding Zoning Application 99-36, lands South of Chedmac Drive and East of Magnolia Drive (PDC00116A) (Item 4.6)

That Item 1.F. of the Twelfth Report of the Planning and Development Committee, as adopted by City Council on June 27, 2000, be amended to delete Subsection F.(k) be deleted in its entirety and replaced with the following:

"F.(k) That Block "14" be rezoned from "RT-20" – 'H' (Townhouse – Maisonette – Holding) District to "C" (Urban Protected Residential, etc.) District."

12. Stinson Street School, 180 Grant Avenue – Heritage Permit for Exterior Alterations to 1915 Addition (PDC00131) (Item 4.7)

That a Heritage Permit be approved for the following alterations to the 1915 rear building of Stinson Street School:

- (a) Removal of the four exterior cloakroom staircases on the north, south, east and west facades; reconstruction of the foundation walls with rusticated stone ashlar to match existing; and,
- (b) Conversion of four original doorways to windows; new windows will be identical to the new insulating glass sash replacement windows to replace all of the existing original wood sash windows (window replacement to be undertaken in 2001, subject to approval of a separate Heritage permit)

13. Proposed Draft Plan of Condominium Conversion – No. 285 King Street West (CDM-CONV-00-03) – (PDC00132) (item 5.2)

- (a) That approval be granted to application CDM-CONV-00-03 (Regional File 25CDM-2001) submitted by 1165555 Ontario Inc. (Dan Gaskin), owner, for a draft plan of condominium for the property located at No. 285 King Street West, as shown on the attached plan marked as Appendix "F", to provide for a condominium comprised of 27 apartment units (24 conversion and 3 new), subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated October 3, 1999 (Appendix "G") prepared and certified by Edward Barich, Ontario Land Surveyor.
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to Corporate Counsel.
 - (iii) That prior to approval of the final plan the property taxes shall be in good standing and the draft plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan.
- (b) That the Acting Municipal Clerk be directed to advise the Director of the Land Development Department of the Community Planning and Development Division of Council's decision.

14. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-043 A By-law to Amend Site Plan Control By-law No. 99-171 respecting lands located east (Lake Side) and west (Bay Side) of Beach Boulevard, in the Beach Neighbourhood.
- (b) C-044 A By-law to Remove Land within the "Parkway Manor Phase 1" Subdivision, Plan 62M-907 from Part Lot Control.
- (c) C-045 A By-law to Remove Land within the "Parkway Manor Phase 1" Subdivision, Plan 62M-907 from Part Lot Control.
- (d) C-046 A By-law to Remove Land within the "Wellington Estates, Phase 2" Subdivision, Plan 62M-905 from Part Lot Control.
- (e) C-047 A By-law to Extend By-law No. 99-113 respecting Land within the "Bow Valley Estates" Subdivision, Plan 62M-875 from Part Lot Control.
- (f) C-048 A By-law to Amend Zoning By-law 6593 respecting lands located west of Hawkswood Trail, south of Falconridge Drive and east of the Hamilton City Limits.
- (g) C-049 A By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal No. 544 Limeridge Road East.
- (h) C-050 A By-law to Designate as a Heritage Conservation District the area of the Hamilton Beach Neighbourhood comprised of 869 to 1019 Beach Boulevard (lake side) and 870 to 1064 Beach Boulevard (bay side) excluding 913 Beach Boulevard including 2 Fourth Avenue.
- (i) C-051 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 99-169 and 99-170 respecting lands located at Municipal Nos. 869-1019 and 870-1064 Beach Boulevard.
- (j) C-052 A By-law to Adopt Official Plan Amendment No. 166 respecting lands located south of Chedmac Drive and east of Magnolia Drive (Scenic South Subdivision) within the Mountview Neighbourhood.
- (k) C-053 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-laws Nos. 96-152 and 99-153 respecting lands located South of Chedmac Drive and East of Magnolia Drive.

- (l) C-054 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 98-116 respecting lands located at Municipal Nos. 30, 32, 36 and 40 Margaret Street.
- (m) C-055 A By-law to Confirm the Proceedings of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – June 21, 2000 (Item 3.1)

The Minutes of the meeting held June 21, 2000 were adopted.

(c) Zoning Application 95-07 and Site Plan Application 95-01 for "Miles Estate" 50 Miles Road (PDC00130) (item 2.1)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

(notations to be incorporated in the minutes)

(d) Zoning Application 00-15 for 30-40 Margaret Street (PDC00133) (Item 2.2)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

(notations to be incorporated in the minutes)

- (e) **Zoning Application 00-08 for 526 Upper Paradise Road (PDC00134)**
(Item 2.3)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

(notations to be incorporated in the minutes)

- (f) **Heritage Conservation District, (Nos. 869-1019 and 870-1064 Beach Boulevard, excluding 913 Beach Boulevard; including 2 Fourth Avenue) – Designation (PDC00125)** (Item 2.4.1) (not a public meeting)

(notations to be incorporated in the minutes)

- (g) **City Initiative 00-D for 869-1019 and 870 – 1064 Beach Boulevard – further Modification in Zoning (PDC00124)** (Item 2.4.2)

The Chairman advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

(notations to be incorporated in the minutes)

- (h) **Proposed Draft Plan of Condominium Conversion – No. 285 King Street West (CDM-CONV-00-03) – (PDC00132)** (item 5.2)

(notations to be incorporated in the minutes)

- (i) **Downtown Community Improvement Plan Amendment (PDC00138)**
(added item)

The Committee approved the following recommendation from the General Manager, Community Planning and Development Division dated August 4, 2000:

That the Planning and Development Committee convene a public meeting to receive citizen input on the possible expansion of the Downtown Hamilton Community Improvement Plan (C.I.P.) as required under the Planning Act.

(j) **Wesley Centre- 195 Ferguson Avenue North (PD99088G) (Private and Confidential Item)**

The Committee adjourned in closed session to deal with a litigation matter and reconvened immediately thereafter and resolved as follows:

- (i) That the Staff of the Legal Services Department be authorized to participate in discussions with Meridian Co-operative Homes, Wesley Urban Ministries and other interested parties with a view to reaching a compromise position concerning the Ontario Municipal Board conditions, as identified in the decisions dated February 15, 1999 and April 26, 2000.
- (ii) That staff report back to the Planning and Development Committee at the meeting scheduled for September 20, 2000.

(k) **OTHER BUSINESS**

- (i) As recommended by Alderman Caplan the Committee resolved as follows:

"That Building Department Staff be authorized and directed to initiate proactive enforcement of Property Standards, Zoning By-laws and other maintenance By-laws in the McMaster University Area for the first 3 weeks of September 2000."

- (ii) As recommended by Alderman Caplan the Committee resolved as follows:

"That Building Department Staff be authorized and directed to seek outside services in order to provide inspection services for various loan programs. Funding to be provided within the department's existing budget."

- (iii) As recommended by Mayor Morrow the Committee resolved as follows:

"That the decision of the Planning and Development Committee at its meeting held on May 24, 2000 (item (i) of matters not requiring Council approval) in approving Site Plan Application DA-99-60, a proposed Tim Horton's Restaurant, including parking and a drive-thru, at 30 Queenston Road, Hamilton, be amended to provide that:

1. for that portion of the proposed development to be located upon land owned by Hydro One Networks Inc., that Hydro One not be required to assume the obligations of land owner and that in their place, Hydro One agree with the City that the TDL Group Ltd. may install the required site plan works and that the City may enter the property to enforce the Site Plan Agreement; and,
2. for that portion of the proposed development to be located upon land owned by 891157 Ontario Inc., that the City shall also require The TDL Group Ltd, which is the lessee of this property and the licensee of Hydro One Networks Inc.'s property, to join in the said site plan agreement to provide its covenant to the City that the approved site plans for both properties shall be installed and maintained as required, as long as The TDL Group Ltd. is the lessee and licensee of the said properties.
3. The said provisions be prepared in a form satisfactory to the Director, Land Development and to Corporate Counsel."

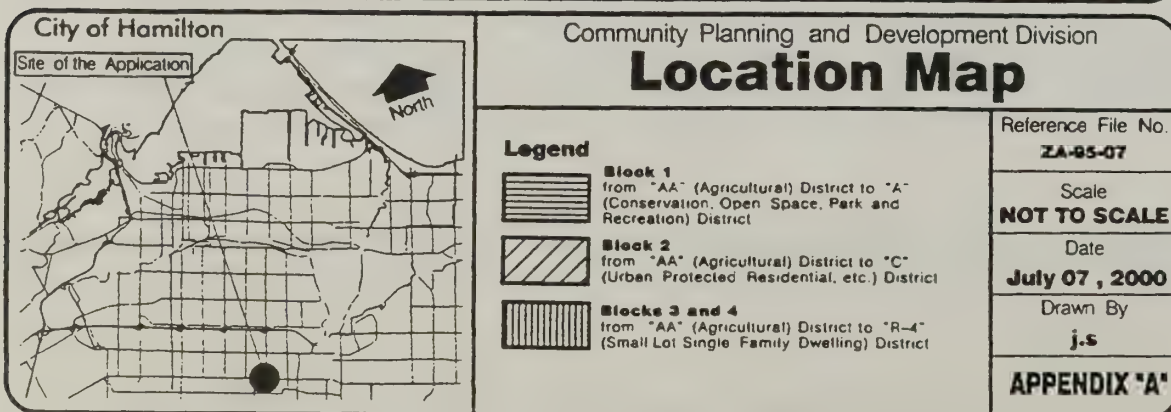
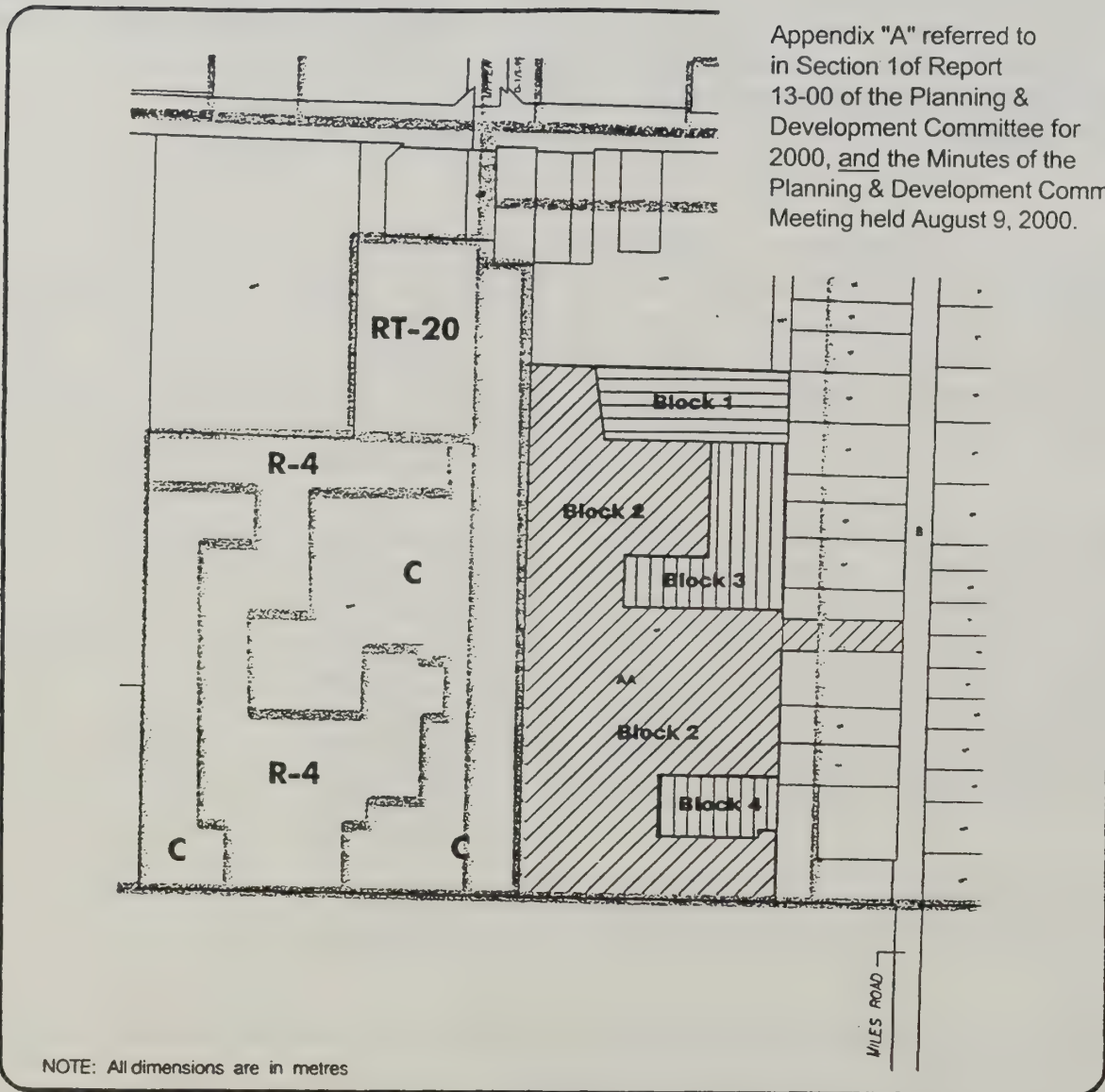
(iv) As recommended by Alderman Horwath the Committee resolved as follows:

"That the staff of the Community Planning and Development Division take appropriate initiatives to update inconsistencies in planning documents as they relate to the Northend Harbourfront re-development of industrial lands intended to be used for residential purposes. "

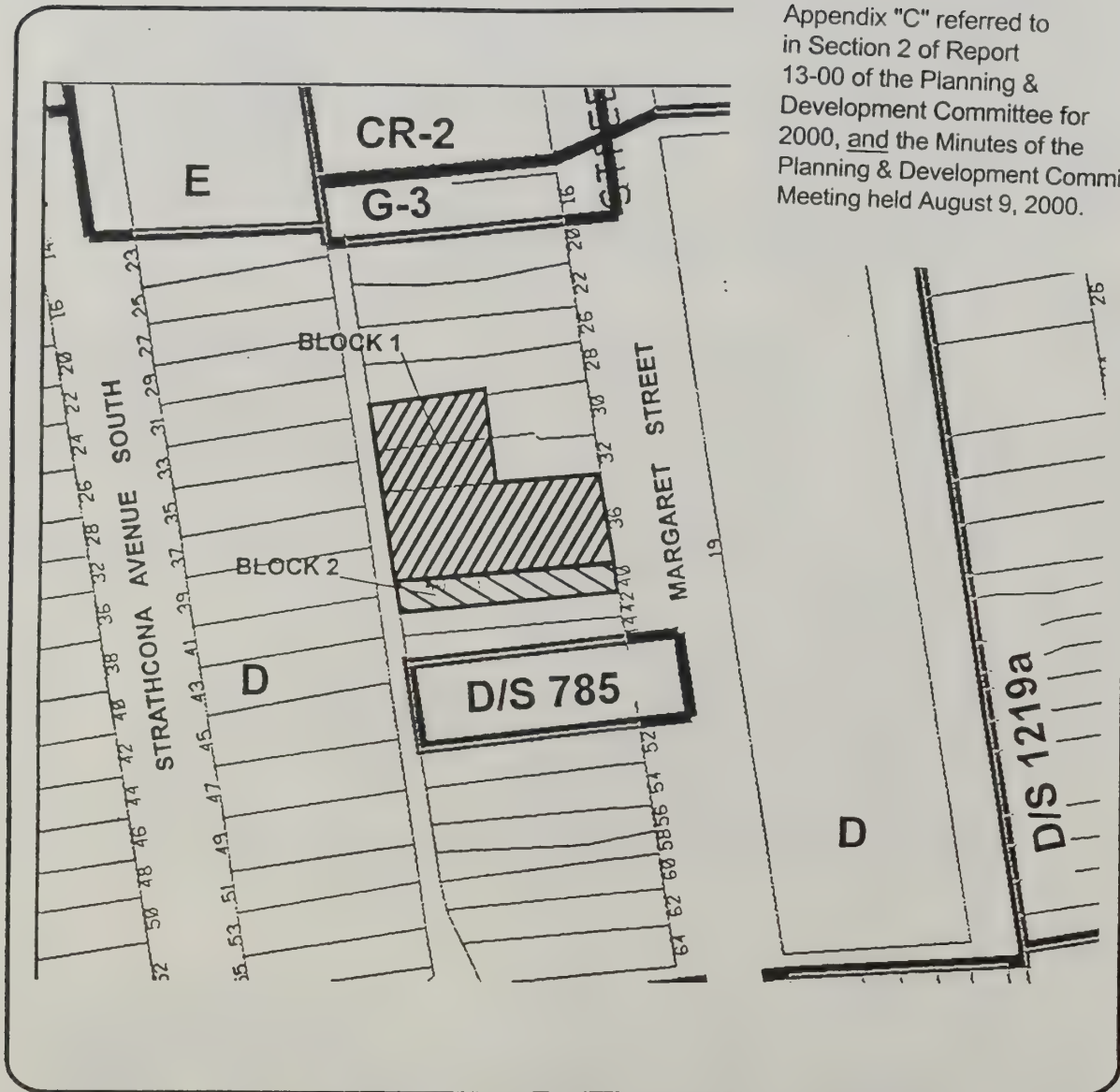
Note: The meeting of the Planning and Development Committee adjourned at 12:40 p.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

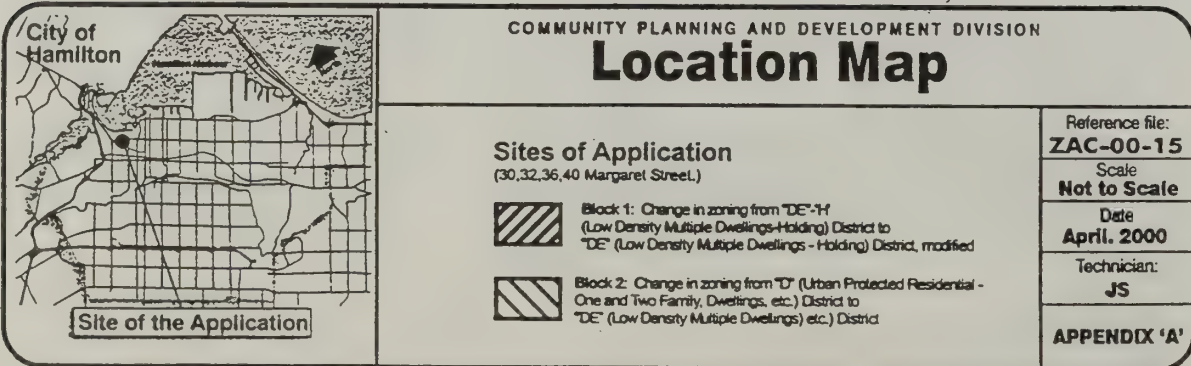
**Tina Agnello, Legislative Assistant
August 9, 2000**



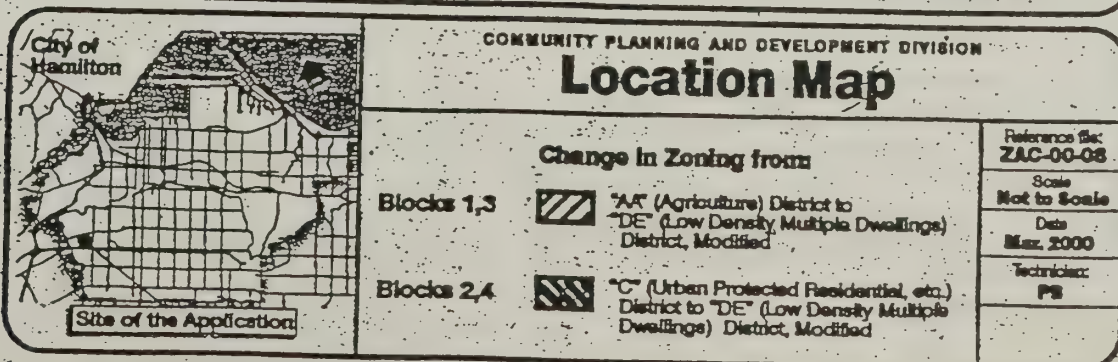
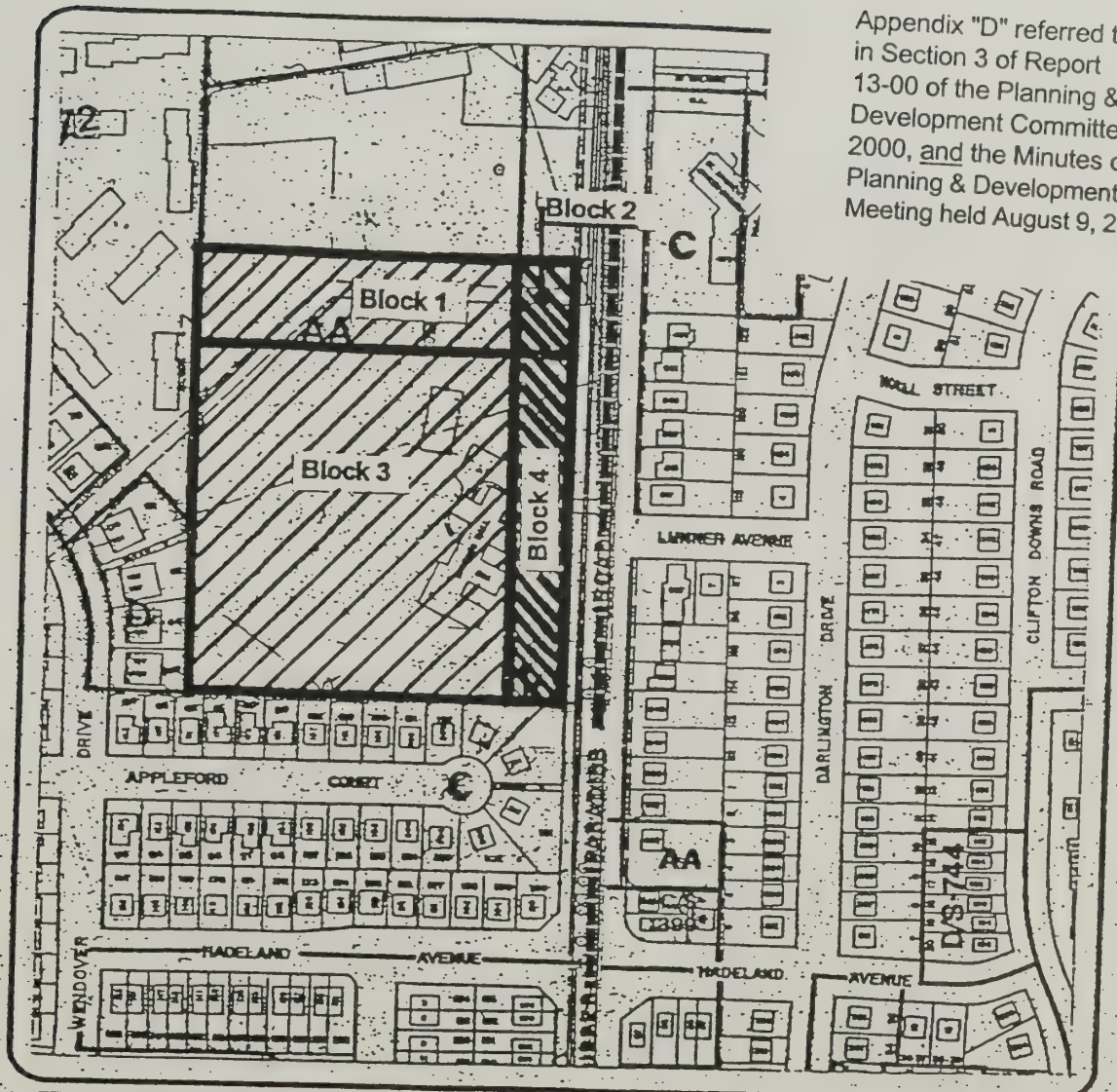




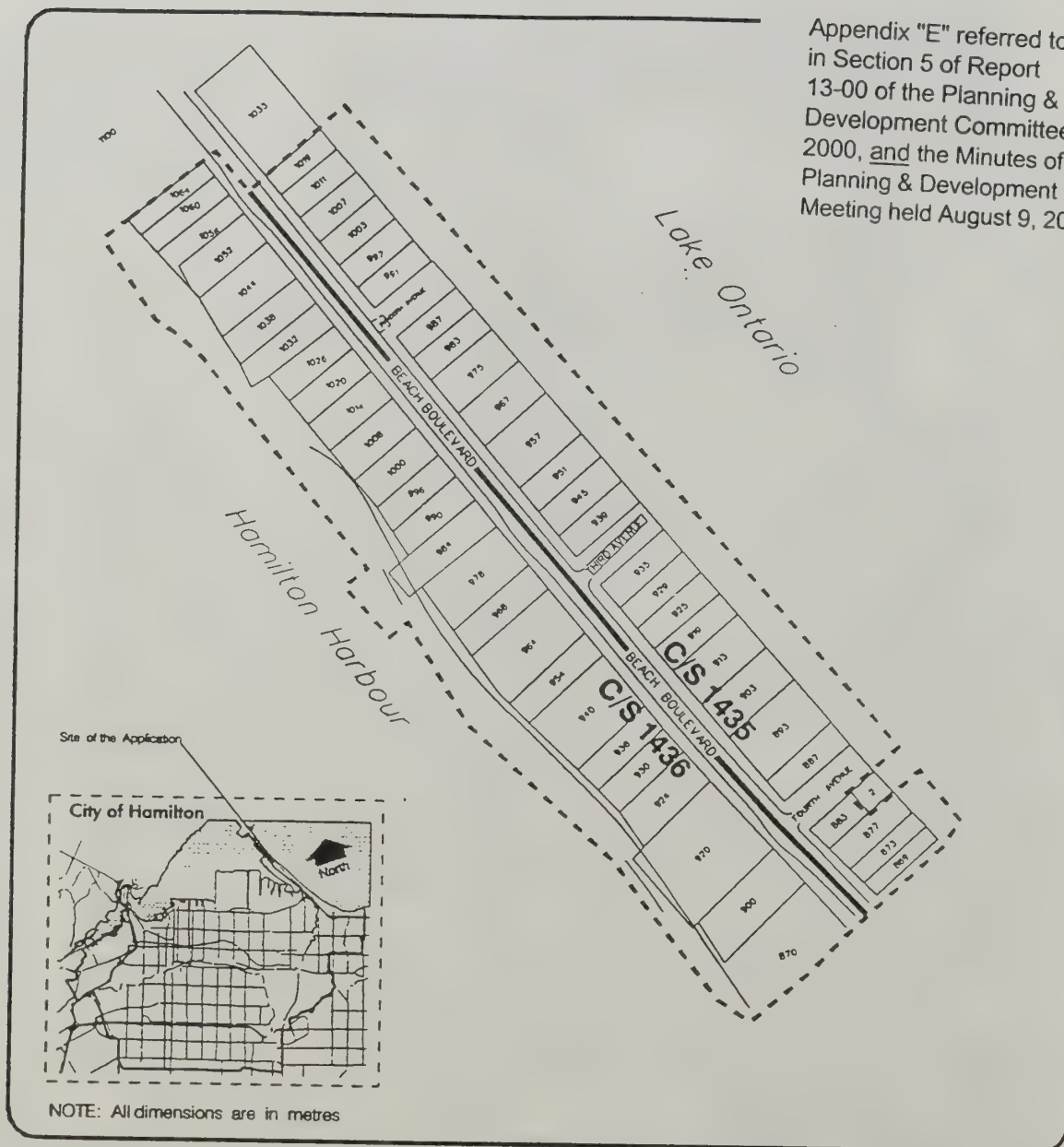
Appendix "C" referred to in Section 2 of Report 13-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held August 9, 2000.



Appendix "D" referred to in Section 3 of Report 13-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held August 9, 2000.



APPENDIX " "



City of Hamilton

Key Map

Community Planning and Development Division

Legend

--- Further modification to the "C"
(Urban Protected Residential, etc)
District regulations.

North



Scale

NOT TO SCALE

Date

July, 2000

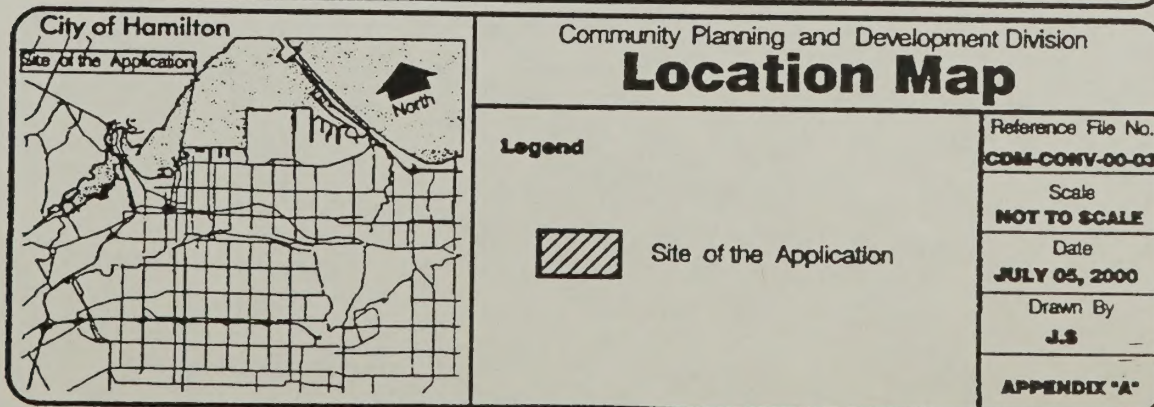
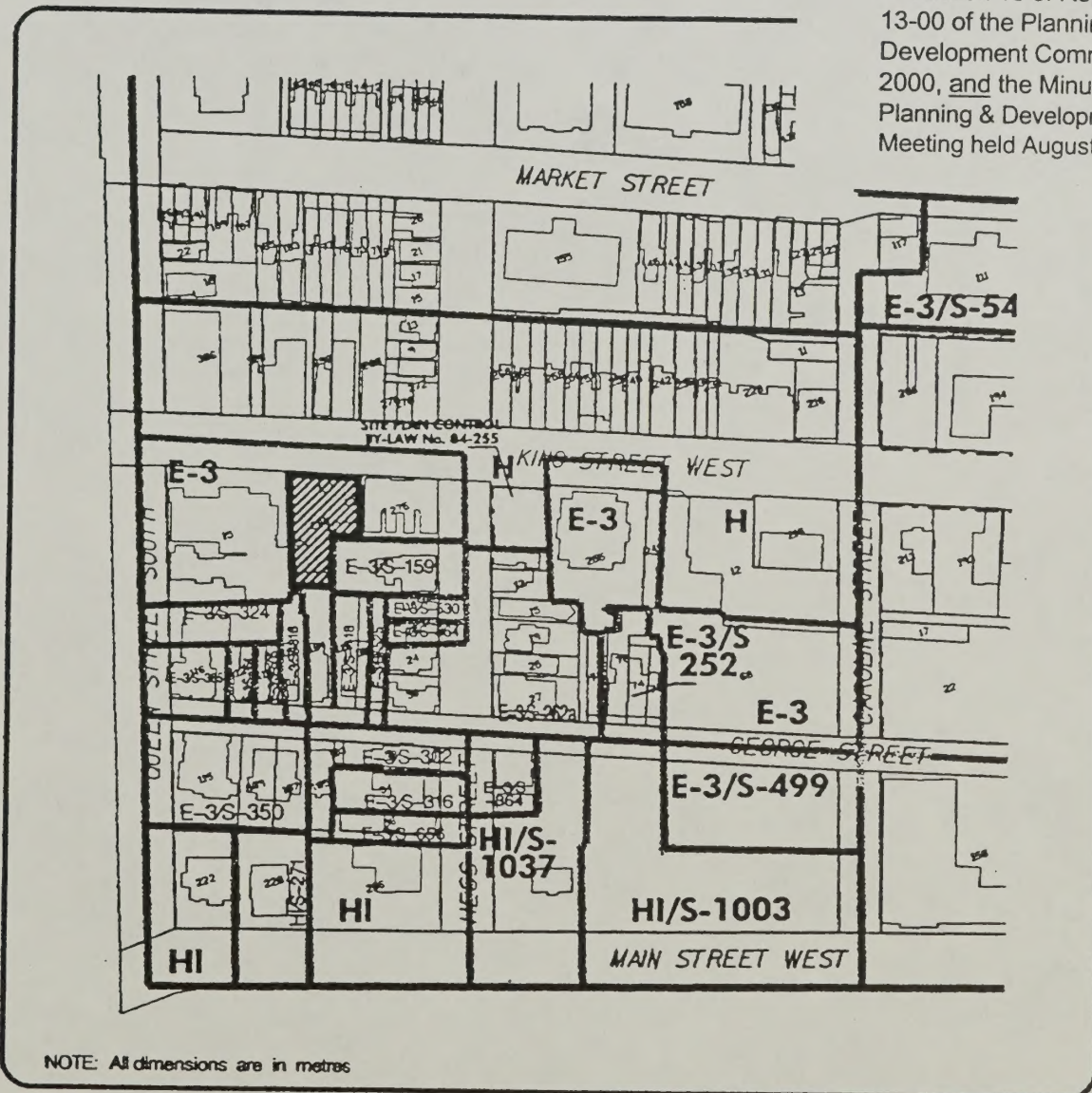
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CI-00-D

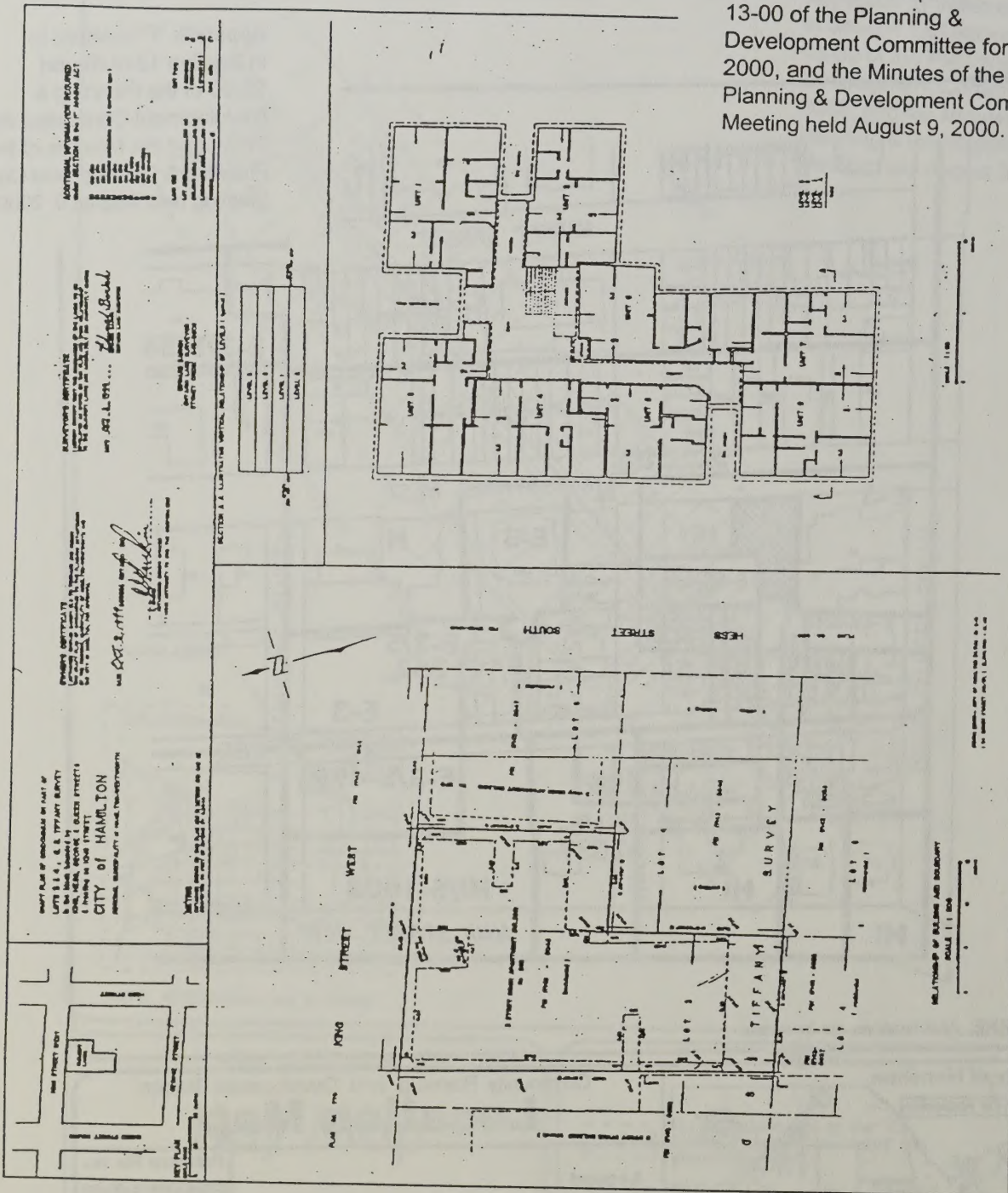
Drawn By

J.S.

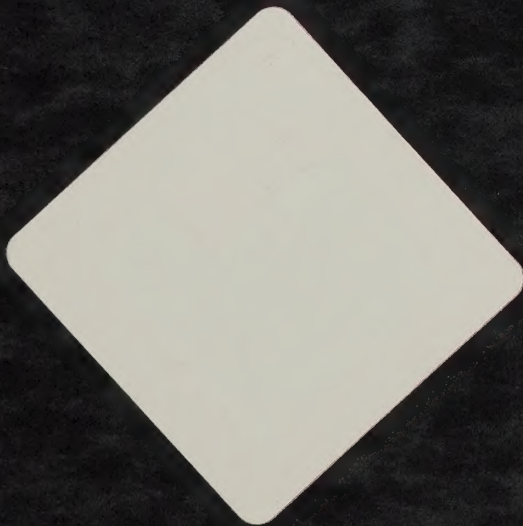
Appendix "F" referred to in Section 13 of Report 13-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held August 9, 2000.



Appendix "G" referred to in Section 13 of Report 13-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held August 9, 2000.



APPENDIX "G"



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